

1. Record Nr.	UNINA9910971670703321
Titolo	The transformation of enforcement : European economic law in global perspective / / edited by Hans-W Micklitz and Andrea Wechsler
Pubbl/distr/stampa	Oxford ; ; Portland, Oregon : , : Hart Publishing Ltd, , 2015
ISBN	9781849468947 184946894X 9781849468930 1849468931
Descrizione fisica	1 online resource (421 p.)
Disciplina	343.2408/7
Soggetti	Actions and defenses - European Union countries Citizen suits (Civil procedure) - European Union countries Law and globalization - European Union countries Trade regulation - European Union countries
Lingua di pubblicazione	Inglese
Formato	Materiale a stampa
Livello bibliografico	Monografia
Note generali	"contains a selection of written contributions prepared for the European University Institute (EUI) June 2013 international conference on "The Transformation of Enforcement : European Economic Law in Global Perspective" organised as part of the larger project "European Regulatory Private Law : The Transformation of European Private Law from Autonomy to Functionalism in Competition and Regulation."-- ECIP Introduction.
Nota di bibliografia	Includes bibliographical references and index.
Nota di contenuto	Introduction : the transformation of enforcement : European economic law in global perspective -- Hans-W Micklitz and Andrea Wechsler -- Enforcement in the shadows of transnational economic law -- Robert Wai -- Enforcement of foreign judgments : governance, rights and the market for dispute resolution services -- Christopher A Whytock -- Can legal and political culture explain the successes and failures of European law compliance? -- Marlene Wind -- Against false settlement : designing efficient consumer rights enforcement systems in Europe -- Horst Eidenmüller and Martin Engel -- Transformations in public and private enforcement -- Christopher Hodges and Naomi Creutzfeldt -- The interaction between private and public enforcement in European

competition law -- Josef Drexl -- The impact of the Court of Justice on the European law enforcement architecture -- R Daniel Kelemen -- Alternatives to the Court of Justice of the European Union in the field of intellectual property law -- Marcus Norrgard -- US class actions : promise and reality -- Christopher Hodges -- The role of enforcement in delineating the scope of intellectual property rights -- Reto M Hilty -- From transnational principles to European rules of civil procedure : reflections on the potential of case management for the resolution of mass disputes -- Iana N Tzankova -- Private antitrust damages actions in the EU : chronicle of an attempted golpe -- Andrea Renda -- The challenges of transnational contractual enforcement : the relative merits of arbitration and state courts litigation -- Sandrine Clavel -- Competition law enforcement beyond the nation-state : a model for transnational enforcement mechanisms? -- Katalin Cseres -- The role of procedural law in the governance of enforcement in Europe -- Burkhard Hess -- The legitimacy and public accountability of global litigation : the particular case of transnational arbitration -- Diego P Fernandez Arroyo -- Conclusions : enforcement in Europe as a market of justice -- Andrea Wechsler and Bosko Tripkovic.

---

#### Sommario/riassunto

This insightful book considers the phenomenon of the transformation of enforcement in European economic law while adopting a distinct global perspective. The editors identify and respond to the need for reflection on transformation processes in the area of enforcement by bringing together the leading international and European scholars in a variety of disciplines to share and compare experiences and learning in different areas of law. Rooted in a wide and regulatory understanding of enforcement, this book showcases the transformation of enforcement with reference to both European economic law (especially transnational commercial law, competition law, intellectual property law, consumer law) and to the current context of significant global economic challenges. Comparative perspectives facilitate the formation of a holistic perspective on enforcement that reaches beyond distinct theoretical accounts, political agendas, regulatory systems, institutional patterns, particular remedies, industry sectors, and stakeholder perspectives. As the first comprehensive and comparative analysis of the enforcement of European economic law that reaches beyond closely confined areas of law, it constitutes a crucial contribution to the theoretical and policy questions of how to design a coherent European enforcement architecture in accordance with essential principles and objectives of the EU economic order. This unique study will have broad appeal. By exploring enforcement transformations from a legal and a cross-disciplinary perspective, it will be essential reading for scholars, practitioners and policymakers from different disciplines.

---