

Julius Neuberger

Der wettbewerbsrechtliche Gewinnabschöpfungsanspruch im europäischen Rechtsvergleich

[The Claim to Skimming Off Profits in German Competition Law in a Comparison with European Law]



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Julius Neuberger deals with the claim to skimming off profits in German competition law. Against the backdrop of the European efforts to harmonize the law, Germany's attempt to go it alone does at first seem disconcerting. After doing an economic study of the phenomenon of multilateral damage and of how the system of sanctions has been used to combat it, the author shows that the legislator definitely needs to take action. After describing considerable shortcomings, in particular in relation to the legal consequences, the author compares the German regulation to those regulations in other European countries which have the same function. In conclusion, he deals with the initial question of how the introduction of the provision can be seen against the backdrop of European efforts to harmonize the law and provides guidelines for a possible regulation in Community law.

Julius Neuberger Geboren 1977; Studium der Rechtswissenschaften in München, Nizza/Frankreich und Berlin; 2006 Promotion; Rechtsreferendar am LG Frankfurt am Main.

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