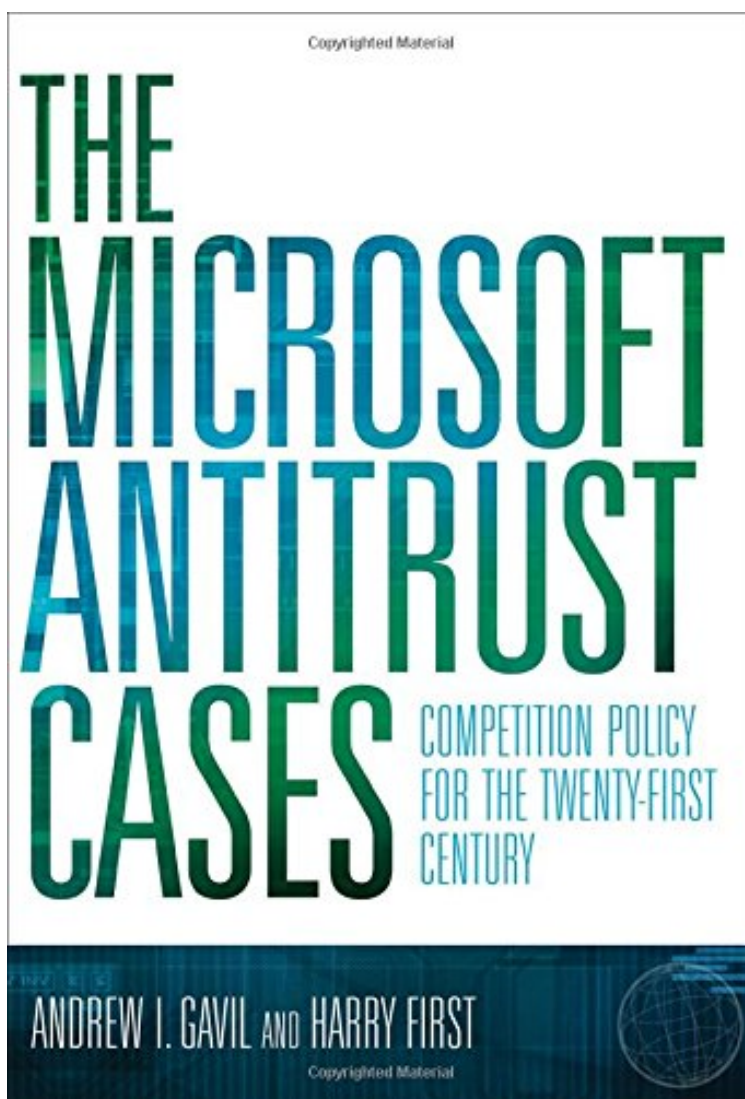


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The Microsoft Antitrust Cases: Competition Policy for the Twenty-first Century (MIT Press)

Andrew I. Gavil, Harry First
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Andrew I. Gavil, Harry First : The Microsoft Antitrust Cases: Competition Policy for the Twenty-first Century (MIT Press) before purchasing it in order to gage whether or not it would be worth my time, and all praised The Microsoft Antitrust Cases: Competition Policy for the Twenty-first Century (MIT Press):

A comprehensive account of the decades-long, multiple antitrust actions against Microsoft and an assessment of the effectiveness of antitrust law in the digital age. For more than two decades, the U.S. Department of Justice, various states, the European Commission, and many private litigants pursued antitrust actions against the tech giant Microsoft. In investigating and prosecuting Microsoft, federal and state prosecutors were playing their traditional role of reining in a corporate power intent on eliminating competition. Seen from another perspective, however, the government's prosecution of Microsoft -- in which it deployed the century-old Sherman Antitrust Act in the volatile and evolving global business environment of the digital era -- was unprecedented. In this book, two experts on competition policy offer a comprehensive account of the multiple antitrust actions against Microsoft--from beginning to end -- and an assessment of the effectiveness of antitrust law in the twenty-first century. Gavil and First describe in detail the cases that the Department of Justice and the states initiated in 1998, accusing Microsoft of obstructing browser competition and perpetuating its Windows monopoly. They cover the private litigation that followed, and the European Commission cases decided in 2004 and 2009. They also consider broader issues of competition policy in the age of globalization, addressing the adequacy of today's antitrust laws, their enforcement by multiple parties around the world, and the difficulty of obtaining effective remedies -- all lessons learned from the Microsoft cases.

This smartly written book is a tour de force in the comparative study of competition law. It does what no prior book has done for the large family of antitrust cases we call 'Microsoft,' developing both the technological history and the possibilities and limits of the law. In the process it reveals how not only different enforcers and different legal environments, but also different economic theories and cultures, address the threats of monopoly in technology. (Herbert Hovenkamp, Ben V. and Dorothy Willie Professor of Law and History, University of Iowa College of Law) Andy Gavil and Harry First have produced a comprehensive, thoughtful, and authoritative assessment of the Microsoft cases and their implications for worldwide competition policy and law enforcement. They carefully examine the robustness of the legal standards applied to unilateral conduct, the soundness of the underlying economic analysis, and the effectiveness of the remedies applied. This book is unmissable reading for all those involved in the cases and an essential archive for competition law enforcers and practitioners. Yet, with its fascinating insights into the relationship between antitrust authorities and business, it remains both accessible and appealing to a much wider public. (Philip Lowe, former Director General for Competition (2002--2010), European Commission) This very important book studies the most important antitrust matter of a generation. Spanning two decades and the entire worldwide antitrust enforcement system, the Microsoft cases revealed complex business strategies, generated important legal opinions in antitrust, stimulated the development of economic theories, and produced political theatre, including the removal of two judges from the U.S. cases. Gavil and First have mastered all these complex, interrelated issues, and integrated them into an interesting and highly readable book. Their comprehensive study will be read widely by students in economics, politics, high-tech business and law, and anyone interested in the interplay of these four areas. (Steven C. Salop, Professor of Economics and Law, Georgetown University Law Center) Gavil and First offer us a bundle of reading opportunities: a compelling and cogent review of U.S. enforcement actions against Microsoft as well as an insightful and provocative analysis of four enforcement actors: the U.S. Department of Justice, the states' Attorney Generals, non-U.S. public enforcers, and private litigators. Bravo! A splendid achievement. (Daniel L. Rubinfeld, Robert L. Bridges Professor of Law and Professor of Economics Emeritus, University of California, Berkeley; Professor of Law, New York University) This meticulously informed and deeply insightful book provides a long-overdue reassessment of the enormous significance of these landmark cases in shaping the vital role competition policy plays in protecting innovation. Gavil and First bring an essential perspective to the still-raging ideological disagreements over antitrust in a world of global, fast-paced, and highly dynamic technological progress. (Phil Malone, Professor of Law, Stanford Law School; lead career DOJ attorney in U.S. v. Microsoft) This insightful analysis is both an excellent introduction to the complexities of antitrust law and a thoughtful discussion of the ideological disagreements involving competition policy. The concluding chapter, addressing lessons from the Microsoft cases, is especially compelling. (Choice)...the book is important and valuable for those interested in the economics of antitrust enforcement in high-technology industries. (...) The authors have it right when they claim that the actions of Microsoft brought to the public's eye some of the most advanced doctrinal, economic, and institutional facets of modern antitrust enforcement. The book is uniquely successful in bringing all of those issues to our attention. (Journal of Economic Literature) About the Author Andrew I. Gavil is currently Director of the Office of Policy Planning at the Federal Trade Commission, on leave from Howard University Law School, where he is Professor of Law. Harry First is Charles L. Denison Professor of Law at New York University School of Law and Director of its Competition, Innovation, and Information Law Program.