

INTELLECTUAL
PROPERTY, ANTITRUST
AND CUMULATIVE
INNOVATION IN THE
EU AND THE US

Thorsten Käseberg

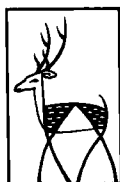
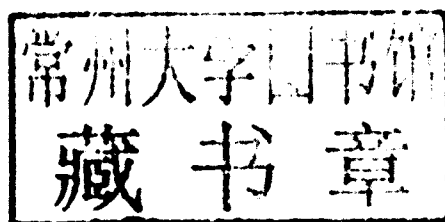


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Thorsten Käseberg



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Abbreviations

AAC	average avoidable cost
ABA	American Bar Association
AG	Advocate General (of the Court of Justice of the EU)
ALR	American Law Reports
AMC	Antitrust Modernization Commission
API	application programming interface
BER	Block Exemption Regulation
BGH	Bundesgerichtshof (German Federal Court of Justice)
BGHZ	Entscheidungen des Bundesgerichtshofs in Zivilsachen
BVerfG	Bundesverfassungsgericht (German Constitutional Court)
CFI	Court of First Instance
CJEU	Court of Justice of the European Union
DG	Directorate General (of the European Commission)
DIAC	Draft International Antitrust Code
DoJ	(US) Department of Justice
DRM	digital rights management
DSL	digital subscriber line
EC	Treaty establishing the European Communities
ECJ	European Court of Justice
ECPR	efficient component pricing rule
EEA	European Economic Area
EPC	Convention on the Grant of European Patents
EUI	European University Institute
FRAND	fair, reasonable and non-discriminatory
FTAIA	Foreign Trade Antitrust Improvements Act of 1982 (US)
FTC	(US) Federal Trade Commission
IAP	internet access provider
ICN	International Competition Network
ICP	internet content provider
IHV	independent hardware vendor
IPR	intellectual property right
ISO	independent service organisation
ISV	independent software vendor
LRAIC	long-run average incremental cost
LRIC	long-run incremental costs
M-ECPR	market determined efficient component pricing rule
MCP	Microsoft Communications Protocol Program
NBER	National Bureau of Economic Research
NCA	National Competition Authority (within the European Competition Network)

nyr	not yet reported (in the European Court Reports)
OECD	Organisation for Economic Co-operation and Development
OEM	original equipment manufacturer
OJ	Official Journal (of the European Communities)
PatG	<i>Patentgesetz</i> (German Patent Act)
R&D	research and development
RAND	reasonable and non-discriminatory
SIEC	significant impediment to effective competition
SLC	substantial lessening of competition
SMP	single monopoly profit
SSNDP	small but significant non-transitory decrease in price
SSNIP	small but significant and non-transitory increase in price
SSO	standard-setting organisation
TEU	revised Treaty on European Union
TFEU	Treaty on the Functioning of the European Union
TRIPS	Agreement on Trade-Related Aspects of Intellectual Property Rights
TTBER	Technology Transfer Block Exemption Regulation
UNCTAD	United Nations Conference on Trade and Development
UrhG	<i>Gesetz über Urheberrecht und verwandte Schutzrechte</i> (German Copyright Act)
US	United States, or, within judgments: United States Supreme Court Reports
USC	United States Code
UWG	<i>Gesetz gegen den unlauteren Wettbewerb</i> (German Act against Unfair Competition)
WIPO	World Intellectual Property Organization
WTO	World Trade Organization
ZWeR	<i>Zeitschrift für Wettbewerbsrecht</i>

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