

Publication Instructions to the International and National Reporters

Amendment of October 2016

With a view to enhance the visibility of the work of its reporters, the LIDC has decided to publish the reports with Springer, a well-known international publishing house. It is an extraordinary opportunity for all reporters to see the fruit of their work recognized internationally. Our aim is to publish all the reports with the final recommendations or conclusions issued during the Congress.

The first issue of the "LIDC Contributions on Antitrust Law, Intellectual Property and Unfair Competition" was published in April 2014. All published volumes were highly appreciated by the authors. You can find more information on the publication here:

<http://www.springer.com/series/11817>

This means that all the reports should display a high scientific value and obey certain formatting rules, as explained below and in Springer's guidelines.

Both questions will be published in the same book.

In order to make this possible, the Bureau has issued the following guidelines.

1. Reports

Reports must be drafted as chapters of a book or an article, not simply as responses to a questionnaire (e.g. in the form of "yes" or "no"). The purpose of the report is to address the main issue presented in Question A or Question B, not to answer a questionnaire.

The questions contained in the questionnaire are meant to direct you towards issues that the international reporter deemed relevant and which you should address in your report. Some may be less relevant than others and perhaps your country's legislation, jurisprudence or history shows other aspects that may be interesting in relation to the main issue. In other words, you should not slavishly follow the questions but you ought to address the issues raised by the international reporter and perhaps raise additional ones that are relevant to the main question.

Each reporter is responsible for the timely issuance of his/her report and the quality of its content and presentation. The editors will review the reports and make adjustments where necessary. The editors may revert to the reporter for changes, adaptations and other modifications.

2. Language

The language of the reports is English (British English). You may select and save your text in UK English so that Word automatically corrects your text.

Each reporter is responsible for ensuring the linguistic quality of his/her report. He/she should organize for a review of the report by a native English speaker. Please consider that your report will be available widely in all formats, in a printed and electronic form, and therefore it is in your interest to ensure a high quality of the English. If the linguistic quality of a report is not sufficient, the editors reserve the right to refuse the publication of the report to ensure high quality of all works.

3. Format of the Reports

3.1 Title and Name of the Reporter

Springer's format for authors includes only the affiliation and the email, as presented below:

Dupont Leblanc
XYZ Law Office, Paris
Email: Dupont.Leblanc@xyz.com

Titles like "Attorney at Law", "Dr" or LLM" will not be included.

You may include in a footnote acknowledgments or disclaimers.

3.2 Size

Altogether, the book should not contain more than 600 pages, or 300 pages for each Question, taking into consideration the reference list pages and other additions to the reports.

This means that each report should be syncretic and in principle must not exceed 20 pages, by observing a limit of 3,000 characters (including blanks) per page, including footnotes, titles, chapters, etc.. Shorter reports are encouraged, which will allow the editors to arbitrate between reports, where necessary and possible.

3.3 Font and Format

All documents must be in Word format 2007 (.docx).

Font is "Time Roman" size 10.

Currencies should follow the format: EUR, USD, BPD (instead of €, \$, or £), and precede the sum (e.g. EUR 50,500). Sum of money and number should be separated by commas and decimal digits (e.g. USD 166,222,444.40).

Do not introduce spaces between the number and per cents sign (e.g. 50% is correct, not 50 %).

All dates shall use the format 26 August 2013 (not 26.08.2013, nor August 26, 2013, nor 26th August 2013).

Do not use **bold** or underlined (or **both**) to highlight a text, only *italics* must be used.

Do not highlight quotes from legislation or other contributions by italics, bold or underlined; only use quotation marks: "text text text".

3.4 Chapters

Sections of the reports shall use decimal numbers and start numbering from the introduction as follows, preferably with not more than 3 levels:

1. Introduction
2. Economic Background
3. Merger Control
 - 3.1 Relevant Market
 - 3.1.1 Product Market
 - 3.1.2 Geographic Market
 - 3.2 Substantive Test
 - 3.2.1 Creation of a Dominant Position
 - 3.2.2 Significant Impediment of Competition
 - 3.2.3 Other
 - 3.3 Remedies
 - 3.3.1 Structural Remedies
 - 3.3.2 Behavioural Remedies
 - 3.3.3 Implementation
4. Conclusion

Do not use (i) (ii) or (a) (b) to structure a text, unless it is necessary to clearly present a number of criteria. If necessary, please use only the format (i)(ii) (iii) (and not a), b) etc).

Avoid as far as possible bullet points; please express every idea in words (first, second, ..., last).

Avoid as far as possible text between parentheses to provide more details.¹ If necessary shorten and structure the texts in more sentences.

Reference to another section of the report should indicate: see Section 3.1.1 above, or see Section 4 below (avoid infra/supra etc.). Paragraphs themselves should not be numbered, and the report should not refer to paragraph numbers.

Please use capital letters in titles, in the first letter of every noun and other words with more than four letters (e.g. High Concentration of Grocery Retail Networks).

¹ Avoid the following drafting: "As a result, in many countries, the retail grocery sector is not only subject to traditional competition law but also to regulations that tend to create barriers to entry for large scale retailers (for example, planning laws may regulate the size and location of shops) and to specific sectoral laws (or specific provisions in the competition law) which restrict various aspects of the strategic freedoms of large scale retailers with respect to their suppliers or competitors (such as bans on resale below cost or the imposition of minimum resale prices for foodstuff).

Instead, make a few short sentences: "As a result, in many countries, the retail grocery sector is not only subject to traditional competition law but also to regulations that tend to create barriers to entry for large scale retailers, for example planning laws that regulate the size and location of shops. In addition, other sectoral laws or specific provisions of competition law restrict the strategic freedom of large scale retailers with respect to their suppliers or competitors. Such restrictions include bans on resale below cost or the imposition of minimum resale prices for foodstuff."

3.5 References, Citations

Reference citations (citation to books or journals) in the footnotes should follow the following Springer style:

Journal article

L. Idot, La dimension internationale des actions en réparation. Choisir sa loi et son juge : Quelles possibilités ?, *Concurrences* 2014(3), pp. 43-53

J. Schwarze, Der Staat als Adressat des europäischen Wettbewerbs, *EuZW* 2000(11), pp. 613–618

C. Bovet, Recent developments in Swiss competition law, *SZW/RSDA* 2009(2), pp. 134– 141.

Book

R. Whish and D. Bailey, *Competition Law*, 7th ed, Oxford University Press 2012

L. Idot, Le nouveau système communautaire de mise en œuvre des articles 81 et 82 CE, *Bruylant* 2004

Book chapter

S. Augenhöfer, European Union, In: Henning-Bodewig (ed), *International Handbook on Unfair Competition*, C. H. Beck, Hart, Nommos 2013, pp. 41–75.

L. Arcelin, S. Calmont, A. Latil and A. Marie, Image Protection from Non-Competitors, France, In: Këllezi, Kilpatrick and Kobel (eds), *LIDC Contributions on Antitrust Law, Intellectual Property and Unfair Competition*, Springer 2014, pp. 337–364.

Online document

Deutscher Bundestag (2009) Plenarprotokoll 16/222, available at http://www.bundestag.de/bic/plenarprotokolle/pp_pdf/16222.pdf. Accessed 18 May 2009.

Preferably, long quotes of decisions or statutes should be avoided. Such quotes must be in English, i.e. English translation of the original language text. Where translation is difficult or inappropriate, quotes in your language can be made in a footnote only.

All legislation quotations must be put in the footnotes, by including a reference to the Official Journal or Gazette of your country, following the format below:

Law on the Protection of Competition, Official Gazette 2014 [number] [page].

The legislation of the European Union shall follow the following format:

Council Regulation 1/2003 of 16 December 2002 on the implementation of the rules on competition laid down in Articles 81 and 82 of the Treaty, OJ 2003 L 1, p. 1.

Directive 2005/29 of the European Parliament and of the Council of 11 May 2005 concerning unfair business-to-consumer commercial practices in the internal market, OJ 2005 L 149, p. 22.

Reference to the case of the CJEU shall follow the following format:

Starting from 2010

EGC or CJEU, case number, *full title (in italics)*, [ECLI identifier] or ECR [year page], pt x.

CJEU, case C-549/10 P, *Tomra Systems ASA, Tomra Europe AS, Tomra Systems mbH, Tomra Systems BV, Tomra Leergutsysteme GmbH, Tomra Systems AB, Tomra Butikkssystemer AS v European Commission*, ECLI:EU:C:2012:221, pt 33.

EGC, case T-286/09, *Intel Corp. v European Commission*, ECLI:EU:T:2014:547.

Before 2009

ECJ, case 487/07, *L'Oréal SA, Lancôme parfums et beauté & Cie SNC and Laboratoire Garnier & Cie v Bellure NV, Malaika Investments Ltd and Starion International Ltd.*, ECR 2009 I-5185, pt 56.

CFI, case T-83/91, *Tetra Pak International SA v Commission*, ECR 1994 II-755 [or ECLI:EU:T:1994:246].

Reference to national case law must be comprehensible and consistent throughout the text. References to court decisions and legislation should match the standards applicable to scientific literature in your country.

Cross referencing must avoid "op. cit." or "see above". Instead, full reference of the court decision or the publication shall be introduced.

Where this is really necessary to make a point or to explain something, you may wish to refer the international reporter to annexes to your report which are not planned for publication. We do not encourage this practice which may ultimately overload the international reporter with too much information. However, we understand that, sometimes, to be fully understood some references are necessary which otherwise would cause the report to exceed the above defined limits (for example full excerpts of decisions, specific piece of legislation, highlight supreme court decision). You must be aware that your text must nevertheless remain understandable, without these references.

3.6 Footnotes

Footnotes shall be introduced in a simple format as indicated hereafter, after the commas,² colons;³ or any full stop.⁴

3.7 Figures, Diagrams and Graphs

Figures and tables need to be numbered and they need to have a caption (a title).

Make sure that you can use the figures without infringing copyright. You are responsible to submit to us only work created by you.

If figures and tables are not created by you, indicate the source of figures and tables. We absolutely need the permission to reuse figures from the previous publisher; in absence of such permission we must refuse to publish such figures/tables.

4. Modifications

You must be aware that these rules may change over time, in line with the experience made.

LIDC Geneva, October 2016

² Text of the footnote.