

*Book review*

## International Antitrust Litigation: Conflict of Laws and Coordination

By Jürgen Basedow, Stéphanie Francq and Laurence Idot (eds.)  
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‘International Antitrust Litigation – Conflict of Laws and Coordination’ is the eighth volume in the series ‘Studies in Private International Law’ by Hart Publishing. This volume is the result of a research project funded by the European Commission in the frame of the “Civil Justice Programme 2007-2013”. It is edited by three of the leading private international law (“PIL”) scholars in Europe, ie Jürgen Basedow, Stéphanie Francq and Laurence Idot and features contributions by several PIL experts from academia, private practice and policy-making from across Europe and the US.

Antitrust disputes in PIL have become an emerging topic in the European Union (“EU”) following the decentralisation of competition law enforcement and the raise of private enforcement. These two developments have significantly altered the way competition rules are applied in the EU and thus, cross-border antitrust cases are continuously increasing. Furthermore, also outside Europe, antitrust disputes are becoming more and more international. An increasing number of both public and private actions involve companies located in different jurisdictions and multi-jurisdictional procedures with factual patterns and evidentiary material spread across various countries. Hence, the need for clear and workable rules to coordinate cross-border actions is greater than ever.

Apart from underlining the importance of the topic and the need for its further analysis, the introductory chapter by the three editors also sets out the aims of the research project and gives a brief overview of the content

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and structure of the book. The aims are threefold: the first aim is to identify and highlight problems related to the international dimension of antitrust litigation; the second aim is to test the adequacy of existing EU instruments regarding the needs of international antitrust litigation; and the final aim of the research project is to propose practical solutions.

The book consists of sixteen chapters (excluding the introductory one) which are divided into two parts. Part I of the book deals with conflict-of-law issues, while Part II looks at coordination issues. The chapters cover the relevant provisions of the Brussels I and Rome I and II Regulations, the cooperation mechanisms provided for by Regulation 1/2003 and selected issues of US procedural law. The contributions cover seven major subjects concerning international antitrust litigation: (i) allocation of jurisdiction; (ii) applicable law; (iii) obtaining evidence; (iv) recognition and enforcement of foreign decisions; (v) collective redress; (vi) coordination of proceedings and cooperation between authorities; and (vii) arbitration. Some contributions address several of these issues, which are interdependent, while others consider a single issue individually. Moreover, some of these issues are analysed with respect to both the EU and US experience. The use of comparative legal study is practical as some US solutions to PIL problems are deemed to be more advanced than the equivalent European ones.

In summary, this volume is currently one of the most extensive and most current books on international antitrust litigation. The book is well structured and the chapters are put together in a comprehensible manner. The contributions throughout the book successfully manage to point out problems in relation to selected issues of international antitrust litigation, examine the adequacy of current pieces of legislation, and convincingly suggest practical solutions. The collection of recommended interpretations and proposed amendments formulated by each author at the end of the book puts a finishing touch to this volume. Thus, this book can be highly recommended for academics, practitioners and policy-makers with an interest in competition law and/or private international law.