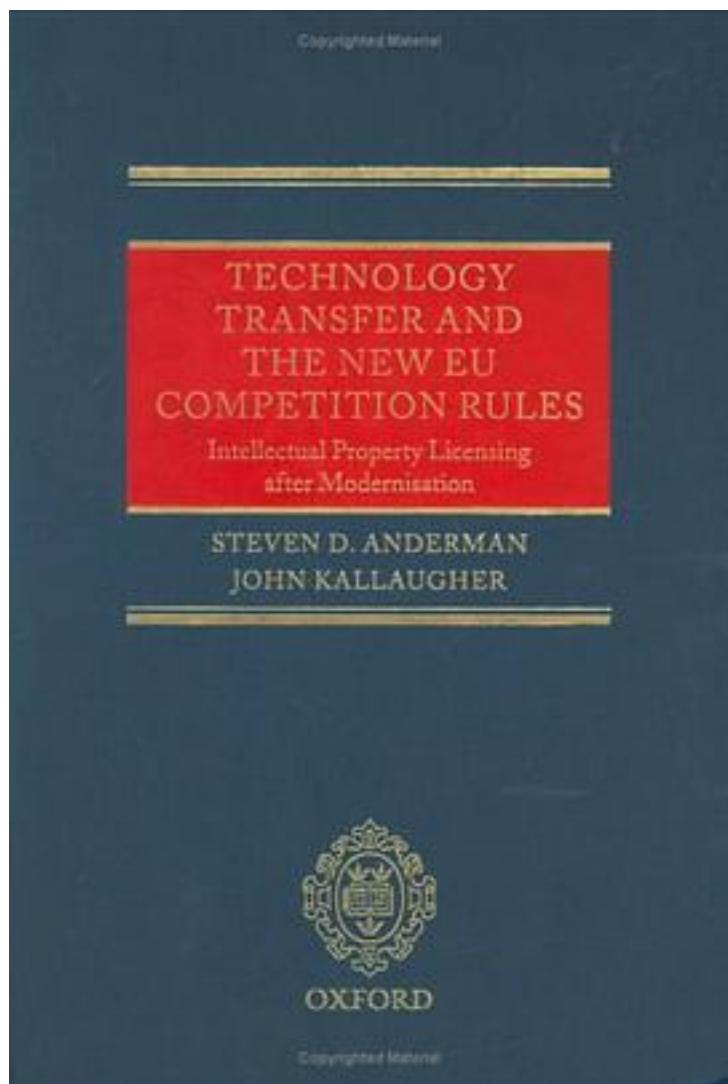


Technology Transfer and the New EU Competition Rules



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The new Technology Transfer Block Exemption Regulation (in force from May 1, 2004) signals a profound change in the nature of the regulatory framework for technology licensing under EU competition law. This book examines the new Regulation in detail, placing it in the wider context of: (i) the context of the modernisation reforms of EC competition law generally; and (ii) the changes in treatment of "technology transfer" within the broader context of changes in treatment of IP rights over technology more generally. The book also considers the approach to assessment of IP issues set out in the Guidelines that accompany the Regulation. The central feature of the Commission's new approach is that firms and practitioners must engage in self-assessment to determine whether their agreements comply with Community competition law. Paradoxically, this makes it more important that practitioners understand the significance of the old case law: the book considers to what extent these cases remain valid today. It also goes beyond paraphrasing the Commission's Guidelines, discussing their legal basis and, where appropriate, criticising the approach taken by the Guidelines where the legal basis is unsure.

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