

Remedies under EU Merger Control:



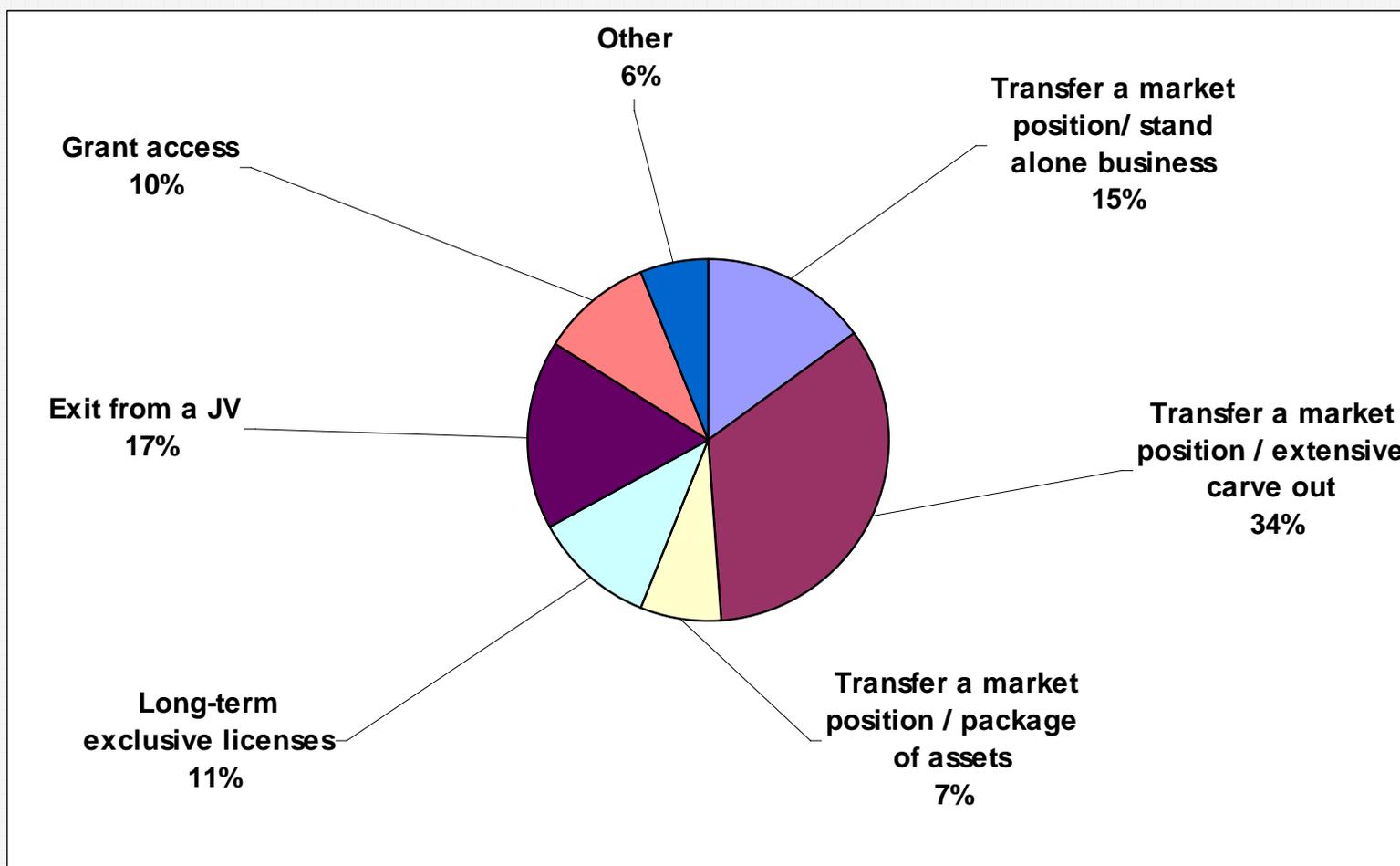
- More than 3000 final decisions to date
- 19 prohibitions + 28 withdrawals in phase II
- 140 clearance decisions with remedies in phase I
- 79 clearance decisions with remedies in phase II



- Merger control deals with structural competition problems
 - = > mostly structural remedies

- In appropriate cases behavioural remedies
 - = > access remedies
 - = > change of long term exclusive contracts

All 227 remedies in 1996-2000





- Access remedies related to
 - > infrastructure
 - > technology (IP)
 - > essential inputs

- Main purpose to
 - > avoid foreclosure
 - > lower barriers to entry



- Crucial issue: implementation
 - > terms of access
 - > monitoring
 - > arbitration



Example: NewsCorp/Telepiu

Remedies designed to facilitate entry into pay-tv market

- Limiting exclusivity for tv-rights
- Third parties access to premium content
- Third parties access to technical platform
- Divestiture of DTT business
- Dispute resolution