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outcomes of the bank bailouts in the US and the EU and to examine a number of cases under the EU's new bank resolution regime This book will be of interest of anyone in the field of finance banking central banking monetary policy and insolvency law

The Nonsense Factory Bruce Cannon Gibney, 2019-05-14 A withering and witty examination of how the American legal system burdened by complexity and untrammelled growth fails Americans and threatens the rule of law itself by the acclaimed author of *A Generation of Sociopaths* Our trial courts conduct hardly any trials our correctional systems do not correct and the rise of mandated arbitration has ushered in a shadowy system of privatized justice Meanwhile our legislators can't even follow their own rules for making rules while the rule of law mutates into a perpetual state of emergency The legal system is becoming an incomprehensible farce How did this happen In *The Nonsense Factory* Bruce Cannon Gibney shows that over the past seventy years the legal system has dangerously confused quantity with quality and might with legitimacy As the law bloats into chaos it staggers on only by excusing itself from the very commands it insists that we obey leaving Americans at the mercy of arbitrary power By examining the system as a whole Gibney shows that the tragedies often portrayed as isolated mistakes or the work of bad actors police misconduct prosecutorial overreach and the outrages of imperial presidencies are really the inevitable consequences of law's descent into lawlessness The first book to deliver a lucid comprehensive overview of the entire legal system from the grandeur of Constitutional theory to the squalid workings of Congress *The Nonsense Factory* provides a deeply researched and witty examination of America's state of legal absurdity concluding with sensible options for reform

EU Competition Law, Data Protection and Online Platforms: Data as Essential Facility Inge Graef, 2016-10-17 All are agreed that the digital economy contributes to a dynamic evolution of markets and competition Nonetheless concerns are increasingly raised about the market dominance of a few key players Because these companies hold the power to drive rivals out of business regulators have begun to seek scope for competition enforcement in cases where companies claim that withholding data is needed to satisfy customers and cut costs This book is the first focus on how competition law enforcement tools can be applied to refusals of dominant firms to give access data on online platforms such as search engines social networks and e-commerce platforms commonly referred to as the gatekeepers of the Internet The question arises whether the denial of a dominant firm to grant competitors access to its data could constitute a refusal to deal and lead to competition law liability under the so-called essential facilities doctrine according to which firms need access to shared knowledge in order to be able to compete A possible duty to share data with rivals also brings to the forefront the interaction of competition law with data protection legislation considering that the required information may include personal data of individuals Building on the refusal to deal concept and using a multidisciplinary approach the analysis covers such issues and topics as the following data portability interoperability data as a competitive advantage or entry barrier in digital markets market definition and dominance with respect to data disruptive versus sustaining innovation role of intellectual property regimes economic trade off in essential facilities cases relationship of

competition enforcement with data protection law and data related competition concerns in merger cases The author draws on a wealth of relevant material including EU and US decision making practice case law and policy documents as well as economic and empirical literature on the link between competition and innovation The book concludes with a proposed framework for the application of the essential facilities doctrine to potential forms of abuse of dominance relating to data In addition it makes suggestions as to how data protection interests can be integrated into competition policy An invaluable contribution to ongoing academic and policy discussions about how data related competition concerns should be addressed under competition law the analysis clearly demonstrates how existing competition tools for market definition and assessment of dominance can be applied to online platforms It will be of immeasurable value to the many jurists business persons and academics concerned with this very timely subject

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Yale Law Journal: Volume 124, Number 4 - January-February 2015 Yale Law Journal, 2015-02-04 The contents of the January February 2015 issue of the Yale Law Journal Volume 124 Number 4 are Articles Cost Benefit Analysis of Financial Regulation Case Studies and Implications John C Coates IV Beyond the Indian Commerce Clause Gregory Ablavsky Essays On Evidence Proving Frye as a Matter of Law Science and History Jill Lepore The End of Jurisprudence Scott Hershovitz Notes Against the Tide Connecticut Oystering Hybrid Property and the Survival of the Commons Zachary C M Arnold Perceptions of Taxing and Spending A Survey Experiment Conor Clarke Edward Fox Comments The Psychology of Punishment and the Puzzle of Why Tortfeasor Death Defeats Liability for Punitive Damages Roseanna Sommers The Case for Regulating Fully Autonomous Weapons John Lewis From Child Protection to Children's Rights Rethinking Homosexual Propaganda Bans in Human Rights Law Ryan Thoreson

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