



Prof. Mel MARQUIS
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APPOINTMENTS AND PROJECTS

- Part-time Professor of Law*** **European University Institute, Florence (since 2011)**
- Professore a contratto*** **Libera Università Maria Santissima Assunta (LUMSA)**
(since 2012)
- Visiting Professor*** **Doshisha University, Kyoto (since January 2018)**
- Member, Competition Law and Economics Network*** **University of Melbourne Law School (since 2017)**
- Co-Director*** *EU Competition Law and Policy Workshop, European University Institute (Scientific Coordinator since 2006; Co-Director since 2012)*
- Co-Director, Co-Founder*** *Rome Antitrust Forum (since 2013), joint project of the European University Institute and the Scuola Nazionale dell'Amministrazione (Rome)*
- Non-Governmental Advisor*** **International Competition Network**
- Member, Steering Committee*** **Antitrust Writing Awards (*Concurrences* Law Journal and George Washington University)**
- Member, Scientific Committee*** *European Papers - Quaderni europei - Carnets européens (since 2015)*
- Member, Advisory Panel*** **Asian Development Bank Project (TA-9229): 'Support to ASEAN: Competition Policy and Law Experts' (focus on cartels and links between competition authorities and academic institutions)**
- Scientific Coordinator*** **School of Transnational Governance, in collaboration with Ivey Business School Asia (focus on public procurement)**

LEGAL EDUCATION, SCHOLARSHIPS AND FELLOWSHIP

<i>Ph.D (Dottorato di ricerca)</i>	2010, University of Macerata (Italy)
<i>Research fellow (Assegnista)</i>	2007-2008, University of Macerata
<i>Ph.D research w/ scholarship</i>	2005-2007, University of Macerata
<i>Visiting Fellow</i>	2004-2005, European University Institute, Florence
<i>LL.M/Fulbright Scholar with scholarship</i>	2000, European University Institute, Florence
<i>J.D. (juris doctor), magna cum laude¹</i>	1998, Seton Hall University School of Law, USA (three-year post-graduate program)

PAST ACADEMIC AND TEACHING POSTS

<i>Senior Fellow and LL.M Instructor</i>	University of Melbourne School of Law (2017 academic year)
<i>CUFE Chair Professor</i>	Central University of Finance and Economics (中央財經大學), Beijing (2016 academic year)
<i>Visiting Professor</i>	Renmin University (中国人民大学) School of Law, Beijing (2015)
<i>Visiting Professor</i>	Doshisha University School of Law, Kyoto (2015)
<i>Professore a contratto Instructor</i>	University of Verona (2008-2014) University of Lisbon , Instituto Europeu – training national judges in the field of antitrust law (program funded by the European Commission) (2012-2015)
<i>Instructor</i>	European University Institute , Florence – training national judges in the field of antitrust law (funded by the European Commission) (2014-2015)
<i>Research Associate</i>	Robert Schuman Centre for Advanced Studies , Florence (2006-2011)

PROFESSIONAL EXPERIENCE

<i>Licensed lawyer</i>	since 1999, New York and New Jersey Bars (not currently practicing law in any jurisdiction)
<i>Practicing lawyer</i>	2000-2004, Van Bael & Bellis, Brussels
<i>Practicing lawyer</i>	1998-1999, Morgan Melhuish, Livingston, USA
<i>Internship</i>	1998, Court of First Instance, Luxembourg
<i>Internship</i>	1997, U.S. Federal District Court, Newark, USA

¹ *magna cum laude*: top 5% of participating students in three-year post-graduate program in legal studies (ranked # 13 of 318 successful J.D. candidates).

CONFERENCES AND GUEST LECTURES AS SPEAKER, CHAIRMAN OR ORGANIZER

Lectures and conference speeches at numerous universities and institutions such as, e.g., the University of Melbourne Law School, the Chinese Academy of Social Sciences (中国社会科学院, Beijing), Shanghai Jiao Tong University (上海交通大学), Shenzhen University Graduate School of Law, Japan Fair Trade Institute (Tokyo), Seoul National University, the European University Institute (Florence), University of Paris-Sorbonne, the Italian Antitrust Authority (Rome), the Portuguese Competition Authority (Lisbon), and many more. These lectures/speeches were given, or conferences were organized, in the cities indicated below.

Leuven (2001-2004), Brussels (2003), Seattle (2003), Madrid (2004), Geneva (2005), Paris (2007), Rome (2007, 2013-2017), Florence (2006-2018), Naples (2008), Nanchang (2011), Tokyo (2012), Lisbon (2012-2015), Kobe (2013), Hong Kong (2014), Beijing (2013-2016 and 2019, invited), Constanza (2014), Shanghai (2014), Kyoto (2015), London (2016), Nagoya (2016), Melbourne (2017), Williamsburg (2018), Shenzhen (2018), Seoul (2018), Manila (2018).

PUBLICATIONS

I. Edited books

(forthcoming edited books)

EUROPEAN COMPETITION LAW: INSTITUTIONAL CHANGE AND COMPETITION AUTHORITIES
(with Philip Lowe and Giorgio Monti; forthcoming, Hart Publishing, Oxford)

EUROPEAN COMPETITION LAW: WHAT IS A UNIFORM APPLICATION OF EU COMPETITION
LAW? (with Philip Lowe and Giorgio Monti; forthcoming, Hart Publishing, Oxford)

(published edited books)

1. EUROPEAN COMPETITION LAW: EFFECTIVE AND LEGITIMATE ENFORCEMENT OF
COMPETITION LAW (with Philip Lowe and Giorgio Monti; 688 pp., Hart Publishing,
Oxford, 2016)
2. LITIGATION AND ARBITRATION IN EU COMPETITION LAW (with Roberto Cisotta; 328 pp.,
Edward Elgar, Cheltenham, 2015)
3. EUROPEAN COMPETITION LAW: COMPETITION, REGULATION AND PUBLIC POLICIES (with
Philip Lowe; 552 pp., Hart Publishing, Oxford, 2014)
4. EUROPEAN COMPETITION LAW: INTEGRATING PUBLIC AND PRIVATE ENFORCEMENT OF
COMPETITION LAW – IMPLICATIONS FOR COURTS AND AGENCIES (with Philip Lowe;
640 pp., Hart Publishing, Oxford, 2014)
5. EUROPEAN COMPETITION LAW: MERGER CONTROL IN EUROPEAN AND GLOBAL
PERSPECTIVE (with Philip Lowe; 480 pp., Hart Publishing, Oxford, 2013)
6. EUROPEAN COMPETITION LAW: EVALUATION OF EVIDENCE AND ITS JUDICIAL REVIEW IN
COMPETITION CASES (with Claus-Dieter Ehlermann; 886 pp., Hart Publishing, Oxford,
2011)
7. EUROPEAN COMPETITION LAW: ANTITRUST SETTLEMENTS UNDER EC COMPETITION LAW
(with Claus-Dieter Ehlermann; 781 pp., Hart Publishing, Oxford, 2010)
8. EUROPEAN COMPETITION LAW: A REFORMED APPROACH TO ARTICLE 82 EC (with Claus-
Dieter Ehlermann; 882 pp., Hart Publishing, Oxford, 2009)

9. L'EUROPÉANISATION DES DROITS CONSTITUTIONNELS Á LA LUMIÈRE DE LA CONSTITUTION POUR L'EUROPE (with Jacques Ziller and Hidia Taoufiqi; 336 pp., Editions L'Harmattan, Paris, 2003)

II. Monograph

10. INTRODUCING FREE MARKETS AND COMPETITION TO THE ELECTRICITY SECTOR IN EUROPE (354 pp., Wisdom House, Leeds, 2001)

III. Other authored works

A. Recent/forthcoming book chapters and journal articles (works from 1997-2006 omitted)

In preparation:

- 'The Influence of EU Competition Law in Brazil, China and Switzerland', with Adrian Emch, Luís Morais and Monique Sturny
- 'Assessing the Philippine Competition Act in the Context of the ASEAN Economic Community' (conference paper)
- 'Competition Law in Japan: Economic, Legal and Institutional Context'

Published and forthcoming papers:

11. 'Competition Law in the Philippines: Economic, Legal and Institutional Context', 6 JOURNAL OF ANTITRUST ENFORCEMENT pp. 79-122 (2018) (also online: doi 10.1093/jaenfo/jnx014)
***Finalist for the *Concurrences* Best Antitrust Writing Award (top Reader's Choice for "Asian Antitrust" category)**
12. 'Confucian Bureaucracy and the Administrative Enforcement of Competition Law in East Asia' (with Jingyuan Ma), 43 NORTH CAROLINA JOURNAL OF INTERNATIONAL LAW pp. 1-73 (forthcoming July 2018)
13. 'A Comment on China's Antimonopoly Law and Some Suggestions' (with Ye Weiping), in Adrian Emch and Wendy Ng, LIBER AMICORUM FOR WANG XIAOYE pp. ____ (forthcoming, *Concurrences*, 2018)
14. 'A Critique of Malaysia's Competition Act and a Call for Deeper Reforms', in Nicolas Charbit et al., eds., LIBER AMICORUM FOR FREDERIC JENNY pp. ____ (forthcoming, *Concurrences*, 2019)
15. 'Competition Law in Japan, Malaysia and the Philippines: An Overview', in Michael Jacobs and Deborah Healey, eds., HANDBOOK OF RESEARCH METHODS IN COMPETITION LAW pp. ____ (forthcoming, Edward Elgar)
16. 'Moral Wrongfulness and Criminalization of Cartels in East Asia' (with Jingyuan Ma), 36 ARIZONA JOURNAL OF INTERNATIONAL AND COMPARATIVE LAW pp. 1-63 (forthcoming, 2019)
17. 'Competition Law in Japan: An Overview of Developments, 2016 to mid-2017' (with Etsuko Kameoka), in *Competition Policy International – Asia Column* pp. 1-18 (November 2017)
18. 'Abuse of Dominance in Regulated Sectors in Italy: recent enforcement trends' (with Patrick Actis Perinetti), in Pier Luigi Parcu, Giorgio Monti and Marco Botta, eds.,

ABUSE OF DOMINANCE IN EU COMPETITION LAW: EMERGING TRENDS pp. 139-168
(Edward Elgar, Cheltenham, 2017)

19. 'Judicial Review in Cartel Cases: An overview of EU and national case law', in Frédéric Jenny and Nicolas Charbit, eds., 2018 COMPETITION CASE LAW DIGEST: A SYNTHESIS OF EU AND NATIONAL LEADING CASES pp. 195-225; also published as E-COMPETITIONS Article no. 79963, pp. 1-34 (June 2016)
20. 'Business Culture in East Asia and Implications for Competition Law' (with Jingyuan Ma), 51 TEXAS INTERNATIONAL LAW JOURNAL pp. 1-43 (2016)
21. 'Firebird Suite: Cartel Suppression Reborn in Japan', 4 JOURNAL OF ANTITRUST ENFORCEMENT pp. 84-110 (2016)
22. 'Effective and Legitimate Enforcement of Competition Law: An Overview', in Philip Lowe, Mel Marquis and Giorgio Monti, eds., EUROPEAN COMPETITION LAW: EFFECTIVE AND LEGITIMATE ENFORCEMENT OF COMPETITION LAW pp. xxix-lxxiii/29-73 (Hart Publishing, Oxford, 2016)
23. 'Idea Merchants and Paradigm Peddlers in Global Antitrust', 28(2) GLOBAL BUSINESS AND DEVELOPMENT LAW JOURNAL pp. 155-208 (2015)

***Finalist** for the *Concurrences/U.S. Federal Trade Commission Best Antitrust Writing Award* (top **Reader's Choice** "Cross-border Issues" category)
24. 'Japan's Consolidated Anti-Monopoly Act: Recent Developments and Non-Developments' (with Shingo Seryo), in *Competition Policy International – Asia Antitrust Column* pp. 1-13 (2015)
25. 'Litigation and arbitration in EU competition law' (with Roberto Cisotta), in Roberto Cisotta and Mel Marquis, eds., LITIGATION AND ARBITRATION IN EU COMPETITION LAW pp. 1-29 (Edward Elgar, Cheltenham, 2015)
26. 'The State of State Action in EU Competition Law (Post-*Greek Lignite*) and a National Competition Strategy for China', in Niels Philipsen, Stefan Weishaar and Guandong Xu, eds., MARKET INTEGRATION: THE EU EXPERIENCE AND IMPLICATIONS FOR REGULATORY REFORM IN CHINA pp. 41-96 (Springer Verlag, Heidelberg, 2015)
27. 'Competition, Regulation and Public Policy Issues: An Overview' (with Veljko Milutinovič), in Philip Lowe and Mel Marquis, eds., EUROPEAN COMPETITION LAW: COMPETITION, REGULATION AND PUBLIC POLICIES pp. xiii-xxxv/13-35 (Hart Publishing, Oxford, 2014)
28. 'Antitrust and the State' (new revised chapter), in Various Authors, VAN BAEL & BELLIS: COMPETITION LAW OF THE EUROPEAN UNION 6th edition (Kluwer Law International, Aphen aan den Rijn)
29. 'The 2013 Amendments to Japan's Anti-Monopoly Act: Some History and a Preliminary Evaluation' (with Shingo Seryo), in *Competition Policy International – Asia Antitrust Column* pp. 1-10 (2014)
30. 'Perchance to Dream: Well Integrated Public and Private Antitrust Enforcement in the European Union', in Philip Lowe and Mel Marquis, eds., EUROPEAN COMPETITION LAW: INTEGRATING PUBLIC AND PRIVATE ENFORCEMENT OF COMPETITION LAW. IMPLICATIONS FOR COURTS AND AGENCIES pp. xiii-lxxxi/13-81 (Hart Publishing, Oxford, 2014)

***Nominated** by panel of experts for the *Concurrences/U.S. Federal Trade Commission Best Antitrust Writing Award* ("Private Enforcement" category)

31. 'Toward a Third Decade of Debate and Analysis: *The European Competition Law Annual*', in Tom Adams *et al.* (eds), *GOOD BOOKS FOR LAWYERS: LIBER AMICORUM RICHARD HART* pp. 121-125 (Hart Publishing, Oxford, 2014)
32. 'Abuse of administrative power to restrict competition in China: four reflections, two ideas and a thought', in Michael Faure and Xinzhu Zhang, eds., *REGULATION AND COMPETITION POLICY IN CHINA: NEW DEVELOPMENTS AND EMPIRICAL EVIDENCE* pp. 73-141 (Edward Elgar, Cheltenham, 2013)
33. 'The Influence of American Antitrust Law on European Competition Law. Two Paths, How Much Dependence?' (with Brigitte Leucht), in Kiran Patel and Heike Schweitzer, eds., *THE HISTORICAL FOUNDATIONS OF EU COMPETITION LAW* pp. 125-161 (Oxford University Press, Oxford, 2013)
34. 'Competition Policy in Japan: Sizing up the Takeshima Era' (with Akira Inoue), in *Competition Policy International – Asia Antitrust Column* pp. 1-6 (August 2013)
35. 'Regulating Mergers: Substantive and Procedural Issues, Judicial Review, International Convergence and Best Practices', in Philip Lowe and Mel Marquis, eds., *EUROPEAN COMPETITION LAW: MERGER CONTROL IN EUROPEAN AND GLOBAL PERSPECTIVE* pp. xiii-lix/13-59 (Hart Publishing, Oxford, 2013)
36. 'Recent Developments in Japanese Merger Control' (with Etsuko Kameoka), in Philip Lowe and Mel Marquis, eds., *EUROPEAN COMPETITION LAW: MERGER CONTROL IN EUROPEAN AND GLOBAL PERSPECTIVE* pp. 287-296 (Hart Publishing, Oxford, 2013)
37. 'Hell Freezes Over: A Climate Change for Assessing Exclusionary Conduct under Article 102 TFEU' (with Ekaterina Rousseva), 4(1) *JOURNAL OF EUROPEAN COMPETITION LAW AND PRACTICE* pp. 32-50 (2013)

***Nominated** by panel of experts for the *Concurrences/U.S. Federal Trade Commission Best Antitrust Writing Award* ("Unilateral Conduct" category)
38. 'Cartel settlements: An overview of EU and national case law', in Nicolas Charbit, Elisa Ramundo and Maly Courtaigne, eds., *2013 COMPETITION CASE LAW DIGEST: A SYNTHESIS OF EU AND NATIONAL LEADING CASES* pp. 179-190, Institute of Competition Law (2012); also published in *E-COMPETITIONS* no. 46057, pp. 1-14 (May 2012)
39. 'The Sun Also Sets: Trending Away from Japanese Exceptionalism in Merger Control and Closer to Global Standards' (with Etsuko Kameoka), *Competition Policy International – Asia Antitrust* no. 1/8 (February 2012)
40. 'Inroads to Social Inclusion in Europe's Social Market Economy: The Case of State Aid Supporting Employment of Workers with Disabilities' (with Delia Ferri), 4(2) *EUROPEAN JOURNAL OF LEGAL STUDIES* pp. 44-73 (2011)
41. 'Rules That Govern Rules: Evidence, Proof and Judicial Control in Competition Cases', in Claus-Dieter Ehlermann and Mel Marquis, eds., *EUROPEAN COMPETITION LAW: EVALUATION OF EVIDENCE AND ITS JUDICIAL REVIEW IN COMPETITION CASES* pp. xv-xcii/15-92 (Hart Publishing, 2011)
42. 'La Federal Trade Commission e la Section 5 del Federal Trade Commission Act: aspetti istituzionali e penombre giurisdizionali', 12 *MERCATO CONCORRENZA REGOLE* 385-430 (2010)
43. 'Antitrust and the State', in Various Authors, *VAN BAELE & BELLIS: COMPETITION LAW OF THE EUROPEAN COMMUNITY* 5th edition, pp. 879-952 (Kluwer Law International, 2010)

44. 'Cartel Settlements and Commitment Procedures', in Claus-Dieter Ehlermann and Mel Marquis, eds., *EUROPEAN COMPETITION LAW: ANTITRUST SETTLEMENTS UNDER EC COMPETITION LAW* pp. xxix-lxxiv/29-74 (Hart Publishing, 2010)
45. 'The collocation of "social" and "market" in the economy and Europe's elusive social identity', in Andrea Caligiuri, Giuseppe Cataldi and Nicola Napoletano, eds., *LA TUTELA DEI DIRITTI UMANI IN EUROPA: TRA SOVRANITÀ STATALE E ORDINAMENTI SOVRANAZIONALI* pp. 419-448 (Cedam, 2010)
46. 'Introduction, Summary, Remarks', in Claus-Dieter Ehlermann and Mel Marquis, eds., *EUROPEAN COMPETITION LAW: A REFORMED APPROACH TO ARTICLE 82 EC*, pp. xxv-cxxvii/25-127 (Hart Publishing, 2008)
47. 'Tutela del consumatore e disciplina della concorrenza: in margine alla sentenza del Tribunale di prima istanza nel caso *GlaxoSmithKline*', (2007/2) *IL DIRITTO DELL'UNIONE EUROPEA* 369-394 (2007)
48. 'Patent, Know-how and Software Copyright Licensing: The EU Competition Regime', 51 *THE ANTITRUST BULLETIN* 239-331 (2007)
49. '*O2 (Germany) v Commission* and the Exotic Mysteries of Article 81(1)', 32 *EUROPEAN LAW REVIEW* 29-48 (2007)

B. Translated books (from Italian and French to English)

50. Fabiana di Porto, *ENERGY LAW IN ITALY* (Kluwer, 2006) (from an Italian manuscript)
51. Jacques Ziller, *THE EUROPEAN CONSTITUTION* (Kluwer, 2005) (from *LA NOUVELLE CONSTITUTION EUROPÉENNE*, 2^{ème} édition, La Découverte, 2005)

C. Book reviews

52. *STATE-INITIATED RESTRAINTS OF COMPETITION*, Josef Drexl and Vicente Bagnoli, eds. (2015), review in 39(4) *WORLD COMPETITION* 696 (2016)
53. *COMPETITION AND THE STATE*, Thomas Cheng, Ioannis Lianos and D. Daniel Sokol, eds. (2014), review in 39(1) *WORLD COMPETITION* 150 (2016)
54. *JOINT VENTURES AND EU COMPETITION LAW*, by Luis Silva Morais (2013); review in 52(1) *COMMON MARKET LAW REVIEW* 313 (2015)
55. *BUILDING NEW COMPETITION LAW REGIMES: SELECTED ESSAYS*, David Lewis, ed. (2013); review in *Bibliographie*, *CONCURRENCES* n° 3, p. 221 (2014)
56. *ECONOMIC EFFICIENCY: THE SOLE CONCERN OF MODERN ANTITRUST POLICY? NON-EFFICIENCY CONSIDERATION UNDER ARTICLE 101 TFEU*, by Ben Van Rompuy (2012); review in 37(2) *WORLD COMPETITION* 263 (2014)
57. *COMPETITION LAW IN THE BRICS COUNTRIES*, Adrian Emch, Jose Regazzini and Vasily Rudomino, eds. (2012); review in 36(2) *WORLD COMPETITION* 343 (2013)
58. *COMPETITION POLICY AND REGIONAL INTEGRATION IN DEVELOPING COUNTRIES*, Josef Drexl, Mor Bakhom, Eleanor Fox, Michal Gal and David Gerber, eds. (2012); review in *Bibliographie*, *CONCURRENCES* n° 2, p. 221 (2013) (in French)
59. *VERTICAL AGREEMENTS AND COMPETITION LAW*, by Sandra Marco Colino (2010); review in 36(2) *EUROPEAN LAW REVIEW* 314 (2011)
60. *COMPETITION POLICY IN THE EUROPEAN UNION*, 2nd edition, by Michelle Cini and Lee McGowan (2008); review in 33(4) *WORLD COMPETITION* 689 (2010)
61. *STATE AND MARKET IN EUROPEAN UNION LAW*, by Wolf Sauter and Harm Schepel (2009); review in 33(2) *WORLD COMPETITION* 353 (2010)

62. INTELLECTUAL PROPERTY AND COMPETITION LAW: THE INNOVATION NEXUS, by Gustavo Ghidini (2006); review in 27(10) EUROPEAN COMPETITION LAW REVIEW 585 (2006)
63. THE EC COMPETITION LAW ON TECHNOLOGY LICENSING, by Frank Fine (2005); review in 27(6) EUROPEAN COMPETITION LAW REVIEW 338 (2006)