Part 3: Technology pools in American antitrust law

A) Regulation basis
B) The US-Licensing-Guidelines
   I. Content
      1. Pools establishing price fixings or market divisions
      2. Pool structure
      3. Effects on innovation
   II. Legality
   III. Legitimacy
C) Result

Part 4: Comparison

A) Systematical coherence
   I. Legal system
   II. Legal evolution
   III. Antitrust evaluation principle
   IV. Intellectual property conception
B) Effectiveness
   I. Aims
   II. Criteria
      1. Utility
      2. Scope of regulation
      3. Antitrust ‘safety-zone’/‘Four or more’-rule
C) Efficiency
   I. Preliminary remark
   II. Parameters
      1. Entrepreneurial freedom
      2. Protection of competition
      3. Conflict of targets
         a) Basic assumption
         b) Ambivalence of technology pools in competition
   III. Criteria
      1. Decision leeway
      2. Market classification
D) Result
Summary and Conclusion

Acknowledgements

Annex 1: Guidelines on the application of Article 81 of the EC Treaty to technology transfer agreements

Annex 2: Antitrust Guidelines for the Licensing of Intellectual Property