

# Foreword

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Mariateresa Maggolino's *Intellectual Property and Antitrust: A Comparative Economic Analysis of US and EU Law* is an excellent and long-needed one-volume comparative study of what we in the United States sometimes refer to as 'IP and Antitrust,' or the intersection of intellectual property law and competition policy. This book brings to bear Professor Maggolino's considerable skills as a comparative competition law scholar on what is perhaps the single most important competition policy issue facing us today – namely, how to use IP policy and competition policy in tandem to further both economic competition and competition in innovation.

Professor Maggolino's book covers a large range of IP practices by dominant firms where competition law can be invoked, including 'sham' litigation and product design, improper infringement actions, predation, and refusals to license. In some of these areas European and United States policies have always been similar or have largely converged. In others, particularly the law of unilateral refusal to license, they remain quite far apart. In each case Professor Maggolino outlines the key features of both European and United States law, pointing out similarities and differences and defending her position. She does a particularly fine and thorough job of explaining the important differences between the United States and European cases brought against Microsoft Corp.

This book is well-researched, well-written, and completely up to date. Every serious competition law/antitrust and intellectual property scholar and practitioner should regard it as 'must' reading.

Herbert Hovenkamp