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in which restrictions on
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The thesis suggests that
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of law is a legal
principle in Dworkin-
Alexy's theory. But as it
will turn out it may
depend on the specific
approach to law. The
final question therefore
will be whether we are
able to find a unique
label of prohibition of
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thirty years, but for a
long time the
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In civil law
jurisdictions, abuse of
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is the exercise of a legal right only to cause annoyance, harm, or injury to another. The abuser is liable for the harm caused by their actions. Some examples of this are abuse of power, barratry, And frivolous or vexatious litigation, a spite fence or wall, forum shopping, abuse of process, malicious prosecution ...

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N2 - In the Cussens et. al.-judgment, the ECJ has finally acknowledged and substantiated that the prohibition of abuse of law is a general

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principle of EU Law. It
follows from the
judgment, according to
the author, that the
prohibition of abuse of
law may create
outcomes that are in
disadvantage of an
individual in bad faith
through "reverse"
vertical direct effect.

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In this book, academics and practitioners from all over Europe discuss the development of the Court's approach to abuse of law across the whole spectrum of European Union law, analysing the case-law from the 1970s to the present day and

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This publication
provides an unparalleled
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two "hot topics" in the field of antitrust and unfair competition law with regard to a number of key countries. The first part of the book examines the prohibition of abuse of a dominant position and globalization in relation to two broad questions: first, whether there is consistency between the approaches of different

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jurisdictions to the
notion of abuse, and,
second, whether there
are too many restrictions
on legal rights and
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resulting from the
prohibition of abuse of
dominance. The
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drafted by Professor
Pinar Akman reveals
that there are as many
similarities as

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volumes of
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reflections by
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resolutions passed by

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of the International
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debate on each of these
topics, and includes
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law artificially made by a private citizen □ generate so much disagreement among equally intelligent individuals? Seeking to transcend the classical debate between its supporters and adversaries, the present study submits that the concept of abuse of EU law is located on three major fault-lines of EU

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law, which accounts for the well-established controversies in the field. The first fault-line, which is common to all legal orders, opposes legal congruence (the tendency to yield equitable legal outcomes) to legal certainty (the tendency to yield predictable legal outcomes). Partisans of legal congruence tend to

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whereas partisans of
legal certainty tend to
oppose it. The second
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market. If economic
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competition among

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private businesses (the
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law must be proscribed
as abusive, for they
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competition among
Member States (the
paradigm of 'regulatory
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represent a desirable
process of arbitrage
among national laws.

The third and final fault-
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namely the fear of
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Those who fear private
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The third and final fault-line corresponds to the tension between two orientations of the economic constitution of the European Union, namely the fear of private power and the fear of public power.

Those who fear private power most tend to endorse the prohibition of abuses of law,

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whereas those who fear public power most tend to reject it. Seen in this way, the concept of abuse of EU law offers a forum in which fundamental questions about the nature and function of EU law can be confronted and examined in a new light. In May 2013, the thesis that this book was based on won the First Edition

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Liakopoulos presents

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his research regarding A
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legal technique through
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