

Abstract

PROTECTION OF COMPETITION – BLOCK EXEMPTIONS

The main purpose of my thesis is to describe and analyze one aspect of a block exemption regulation for vertical agreements, namely resale price maintenance.

The thesis is composed of six parts, one of them dealing with block exemptions in general and the rest of them focusing on resale price maintenance. Chapter one introduces the topic of block exemptions and explains the features of block exemptions that are common to all of them.

Chapter two presents the definition of resale price maintenance and describes the difference between fixed, minimum, maximum and recommended prices.

Chapter three describes economic theories, which have influence on legal treatment of resale price maintenance. The chapter is divided into three subchapters, whereas the first one explicates pro-competitive effects of resale price maintenance, the second one focuses on its anticompetitive effects and the third one summarizes the economic theories of impact of resale price maintenance.

Chapter four examines the legal framework of resale price maintenance in European law. Firstly, it describes the treatment of fixed, minimum, recommended and maximum prices. Then it analyzes resale price maintenance as an object restriction and examines possible exemption under Article 101 (1) of the Treaty on the Functioning of the European Union. The fourth subchapter deals with the *de minimis* rule. Subchapter five explores a possibility for individual exemption of resale price maintenance. Chapter four ends with examples of decision-making practice of the Commission and the Court of Justice of the EU.

Chapter five describes the situation of resale price maintenance in Czech law. It mainly surveys a couple of decisions rendered by the Office for the Protection of Competition.

Chapter six introduces the principles of American competition law, focusing on a judicial evolution of treatment of resale price maintenance. Subsequently, a comparison is made between American and European approach towards resale price maintenance.

Finally, the conclusion of the thesis evaluates the conclusions made in the previous chapters and the legal framework of resale price maintenance. Part of the conclusion also deals with possible changes suggested for the future.