



# **Stratégies d'instrumentalisation juridique et concurrence (Droit, management & stratégies) (French Edition)**

*Antoine Masson*

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# Stratégies d'instrumentalisation juridique et concurrence (Droit, management & stratégies) (French Edition)

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Les entreprises ne subissent pas seulement les normes juridiques, elles peuvent aussi en jouer pour prendre l'avantage sur les autres entreprises. Cela est particulièrement vrai du droit de la concurrence qui joue un rôle central dans la vie contemporaine des affaires.

Cet ouvrage analyse dans la perspective de l'approche « Law & Management » les usages stratégiques qui peuvent être faits du droit de la concurrence. D'une part, les entreprises peuvent exploiter les options, voire les failles, offertes par le droit de la concurrence pour desserrer son emprise. Il est en effet possible de tirer parti de certains mécanismes tels que les demandes de clémence ou les engagements pour limiter les risques juridiques découlant du droit de la concurrence.

D'autre part, les entreprises peuvent tenter de tirer profit du flou entourant des concepts comme ceux de « facilités essentielles », de « prix prédateurs » ou de « concurrence déloyale » afin d'accuser leurs concurrents de pratiques contraires à la concurrence. Le droit de la concurrence peut ainsi être utilisé par les entreprises pour faire pression sur leurs concurrents, les déstabiliser, parasiter leurs infrastructures, accroître leurs coûts, ou encore obtenir une contrepartie financière ou économique de leur part.

La connaissance de ces pratiques et de ces stratégies intéressera les avocats spécialisés en droit de la concurrence et en droit des affaires, les cadres et les dirigeants d'entreprises, les directions juridiques ainsi que les professeurs, les chercheurs et les étudiants.

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