第一图书网, tushu007.com

# <<倾销>>

## 图书基本信息

书名：<<倾销>>

13位ISBN编号：9787513008631

10位ISBN编号：7513008639

出版时间：2011-11

出版时间：知识产权出版社

作者：毕莹

页数：405

版权说明：本站所提供下载的PDF图书仅提供预览和简介，请支持正版图书。

更多资源请访问：http://www.tushu007.com

## 内容概要

《倾销:反倾销法抑或竞争法(英文)》从历史渊源出发，跟随反倾销制度的发展，探究其长久以来“不证自明”之前提的真实性——“倾销有害”，在明确其与竞争法的相关性后，结合传统的和新的“重度使用反倾销者”两方面实践，以比较的方法全面探讨将“倾销”置于竞争法而非反倾销法之下的优势，同时梳理及剖析反对该取代的主要理由。
最终得出：以世界贸易组织《反倾销协议》为基准的各国反倾销规则应最终为日益发展并相互融合的各国竞争规则以及有关掠夺性价格歧视的国际统一竞争协议所取代。
为逐步达到该目标，更多的可行性方案应自双边和区域展开。

第一图书网, tushu007.com



## 作者简介

毕莹，浙江大学光华法学院讲师。
2003年获清华大学法学学士学位，2006年获清华大学国际法学硕士学位，2009年获日本九州大学国际法学博士学位。
主要从事国际经济法的研究，在The
Journal of World
Investment＆Trade.日本《法政研究》等国内外公开发行的学术刊物上发表论文数篇；主持国家社科基金课题1项：“中日韩自贸区竞争与反倾销规则协调研究。
”

第一图书网, tushu007.com



书籍目录

Chapter 1 Time to Reexamine Dumping: Antidumping Law or Competition Law
1.1 Overview of Antidumping Law
1.1.1 The Etymology of "Dumping"
1.1.2 Legislative Development of Antidumping: Domestic to International
1.2 The Proliferation of Antidumping laws and Actions
1.2.1 The Proliferation of Antidumping laws
1.2.2 The Proliferation of Antidumping Actions
1.2.3 New Features of Antidumping Application
1.3 The Problem of Antidumping Law
1.3.1 "Protectionist Abuse" Criticism
1.3.2 Tariff - Like Barrier
1.3.3 "Attractive Features" for Protectionism
1.4 "Antidotes" to Prevent Protectionist Abuse
1.4.1 Further Refining
1.4.2 Reform by Competition
1.5 Antidumping: Time to Go Back to Basics
Chapter 2 Dumping in Economic Theories and Antidumping Law
2.1 Dumping in Economic Theories
2.1.1 The Traditional Dumping Theory of Viner
2.1.2 The Modern Dumping Theory of Willig
2.1.3 Generally Recognized Harmful Dumping:Predatory Dumping
2.2 Dumping in the Original Antidumping Law
2.2.1 The U.S.1894 Wilson Act
2.2.2 The U.S.1916 Antidumping Law
2.2.3 The U.S.1921 Antidumping Law
2.2.d Antidumping laws in Other Countries
2.2.5 Antidumping: Anti Cross-border Predatory Price Discrimination
2.3 Dumping in the International Antidumping Agreement
2.3.1 GATT/WTO: Standardizing Antidumping Law
2.3.2 Basic Common Requirements on Dumping
2.3.3 "Dumping is Harmful" : Self-evident Premise
2.4 Summary
Chapter 3 Predatory Price Discrimination in Economic Theories and Competition Law
3.1 Predatory Price Discrimination in Economic Theories
3.1.1 Price Discrimination: Primary-line and Secondary-line Competition
3.1.2 Predatory Pricing
3.2 Overview of Competition Law
3.2.1 Consensus on the Basic Competition Principles
3.2.2 Predatory Price Discrimination

第一图书网, tushu007.com


3.3 Predatory Price Discrimination in Competition Law
3.3.1 Competition Rules and Cases in the U.S.
3.3.2 Competition Rules and Cases in the EU
……
Chapter 4 Dumping: Antidumping Law or Competition Law
Chapter 5 Difficulties of Substitution in Practice
Chapter 6 The "Substitution" Debate and the New Users
Chapter 7 Time to Reexamine Dumping: "Trust
Antitrust to Dump Antidumping
Conclusion
Appendix List of Chinese Antidumping Cases （1997-2010）
Bibliography

第一图书网, tushu007.com



## 章节摘录

版权页：插图：The debate of antidumping versus competition is a relatively new but very significant issue. Based on all of the above analysises and examinations from both traditional and new heavy users of antidum-ping, this book argues for putting the issue of dumping under compe-tition rules instead of antidumping rules. The domestic antidumping rules and the WTO Antidumping Agreement should be finally substitu-ted by the harmonized domestic competition rules and their basic standard, i. e. the international competition agreement on predatory price discrimination, all around the world in future.The original and supposed goal of antidumping rules should be the same as that of competition rules. In economic theories, efficiency approach favored by most econmists, suggests that dumping is one kind of transnational price discrimination, and only predatory dum-ping is generally recognized as harmful. As to antidumping law, a jour-ney back to its birth time as well as the following evolvement indicate that, originally antidumping was actually part of antitrust law, to deal with the import price discrimination, and it is only for dealing with these foreign conducts more efficiently that antidumping rules were changed and gradually distinctive from antitrust rules. However, nei-ther the change of special rules nor that of legal areas can be the evi-dence to question the original and supposed justification of antidum-ping.

## 编辑推荐

《倾销:反倾销法抑或竞争法(英文)》由知识产权出版社出版。

版权说明

本站所提供下载的PDF图书仅提供预览和简介，请支持正版图书。

更多资源请访问:http://www.tushu007.com