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Extraterritorial Application of Antitrust Laws to International Cases: A "Conflict-of-Law Approach" and its Practices

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This article provides an overview of the "conflict-of-law approach" to extraterritorial application of antitrust laws, and then refers to recent cases for further discussion. The main issues are the position of "conflict of law" in antitrust laws and the consideration of public international law in the "conflict-of-law approach". The following is a brief description of the position of conflict of law as "public law" in the extraterritorial application of antitrust law, and that public international law is not binding on the application of domestic antitrust law but is only a factor of consideration.