

Mjerodavno tržište

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Primjer 1.



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Primjer 2.



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Primjer 3. 



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Što je... 



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Čemu služi... 



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Zamjenjivost? 



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Zamjenjivost? 



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Zamjenjivost? 



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Obavijest Komisije o određivanju mjer. trž. (1997) 

Market definition is a tool to identify and define the boundaries of competition between firms.

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Obavijest Komisije o određivanju mjer. trž. (1997) 

The main purpose of market definition is to identify in a systematic way the competitive constraints that the undertakings involved face.

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Obavijest Komisije o određivanju mjer. trž. (1997) 

The objective of defining a market in both its product and geographic dimension is to identify those actual competitors of the undertakings involved that are capable of constraining those undertakings' behaviour and of preventing them from behaving independently of effective competitive pressure.

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Obavijest Komisije o određivanju mjer. trži. (1997) 

It is from this perspective that the market definition makes it possible *inter alia* to calculate market shares that would convey meaningful information regarding market power for the purposes of assessing dominance or for the purposes of applying Article [101].

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- Mjerodavno *proizvodno / uslužno* tržište
- Mjerodavno *zemljopisno* tržište

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Obavijest Komisije o određivanju mjer. trži. (1997) 

A relevant product market comprises all those products and/or services which are regarded as interchangeable or substitutable by the consumer, by reason of the products' characteristics, their prices and their intended use.

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Obavijest Komisije o određivanju mjer. trži. (1997) 

The relevant geographic market comprises the area in which the undertakings concerned are involved in the supply and demand of products or services, in which the conditions of competition are sufficiently homogeneous and which can be distinguished from neighbouring areas because the conditions of competition are appreciably different in those area.

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Three main sources of competitive constraints 

- demand substitutability
- supply substitutability
- potential competition

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SSNIP test 

whether the parties' customers would switch to readily available substitutes or to suppliers located elsewhere in response to a hypothetical small (in the range 5 % to 10 %) but permanent relative price increase in the products and areas being considered

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**ZZTN** 

ZZTN, čl. 7. Mjerodavno tržište  
[http://www.aztn.hr/uploads/documents/tn/zakonodavni\\_okvir/ZZTN\\_procisцени-tekst.pdf](http://www.aztn.hr/uploads/documents/tn/zakonodavni_okvir/ZZTN_procisцени-tekst.pdf)  
 Uredba o načinu i kriterijima utvrđivanja mjerodavnog tržišta, NN 9/11  
[https://narodne-novine.nn.hr/clanci/sluzbeni/2011\\_01\\_9\\_197.html](https://narodne-novine.nn.hr/clanci/sluzbeni/2011_01_9_197.html)

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- Case T-213/00 CMA CGM and Others v Commission of the European Communities Judgment of the Court of First Instance (Third Chamber) of 19 March 2003
- Agreement between members of a liner conference and independent shipping companies
- §§ 201-235
- the Commission finds that the relevant market for the purpose of considering the agreement not to grant discounts on charges and surcharges is that of scheduled maritime transport services for the transport of containerised cargo between northern Europe and the Far East
- In that regard the Commission explained in detail, at paragraphs 56 to 122 of the contested decision, why certain alternative modes of transport were not substitutable for scheduled maritime transport services for the transport of containerised cargo and the conditions of competition in the market for those services
- there is an obligation on the Commission to define the relevant market in a decision applying Article 81 EC, only where it is impossible, without such a definition, to determine whether the agreement, decision by an association of undertakings or concerted practice at issue is liable to affect trade between Member States and has as its object or effect the prevention, restriction or distortion of competition within the common market ( *European Night Services and Others v Commission*, cited at paragraph 197 above, paragraphs 93 to 95 and 103, and Case T-62/98 *Volkswagen v Commission* [2000] ECR II-2707, paragraph 230).

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- Commission Decision of 22 January 1997 declaring a concentration to be compatible with the common market and the functioning of the EEA Agreement (Case No IV/M.794 - Coca-Cola/Amalgamated Beverages GB) <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:31997D0540>

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- the market to be taken into consideration comprises the totality of the products which, with respect to their characteristics, are particularly suitable for satisfying constant needs and are only to a limited extent interchangeable with other products (Case 322/81 *Michelin v Commission* [1983] ECR 3461, paragraph 37)





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**Atlantic Container Line v Commission T-395/94** 

- the applicants deny that containerised transport services constitute the relevant service market
- the applicants listed a number of other sources of competition for the carriage of containerisable cargo, namely competition from non-containerised operators (whether liner or on demand), other specialised modes of transport and air transport. They also criticise the Commission for having failed to evaluate the cumulative effect of those sources of competition.
- The fact that other modes of transport, whether maritime or air, may engage in marginal competition on the market in containerised liner shipping services in respect of a limited number of products, as the applicants state and as the Commission indeed expressly acknowledged in recitals 50 to 58 in the preamble to the contested decision, does not mean that, for that reason, they can be regarded as forming part of the same market. The Commission has demonstrated that substitutability concerns only a very small part of the demand and the applicants have not adduced any evidence that that demonstration is incorrect. §273

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**M.7567 Ball/Rexam (12 Jan 2016)** 

[https://ec.europa.eu/competition/mergers/cases/decisions/m7567\\_4959\\_3.pdf](https://ec.europa.eu/competition/mergers/cases/decisions/m7567_4959_3.pdf)

- the Commission has reached the conclusion that beverage cans constitute a separate market from other forms of beverage packaging solutions
- different types of packaging satisfy different types of needs. For example, cans cannot be resealed and hence are suited for immediate or home consumption in a single session, whereas PET bottles can be resealed and used for on-the-go or home consumption in multiple sessions
- if the price of cans increased permanently by 5-10 % while prices of glass and PET bottles remained constant, they would not switch from buying cans to glass or PET bottles
- a large majority of customers that responded to the market investigation indicated that they would not switch to cans from glass or PET in case of a permanent 5-10 % price increase of the latter two
- Each packaging material has different product characteristics such as whether or not it is re-sealable, its shape, its environmental performance and its suitability for decoration and artwork. [...] cans differ from other beverage solutions in terms of marketing, product image and customer and consumer needs and preferences

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