

## ACADEMIC PUBLICATIONS

### Articles

1. **David Gilo Yossi Moshe and Yossi Spiegel**, "[Partial Cross Ownership and Tacit Collusion](#)," 37 RAND Journal of Economics 81-99 (2006).
2. **David Gilo and Yaron Yehezkel**, "Vertical Collusion," RAND Journal of Economics (2019).
3. **Nadav Levi, Yossi Spiegel and David Gilo**, "Partial Vertical Integration, Ownership Structure and Foreclosure", American Economic Journal: Microeconomics (2017).
4. **David Gilo Ehud Guttel and Erez Yuval**, "Negligence, Strict Liability and Collective Action", 42 Journal of Legal Studies (2013).
5. **David Gilo**, "[The Anticompetitive Effect of Passive Investment](#)," *Michigan Law Review*, vol. 99, p. 1-47 (2000).
6. **David Gilo and Ariel Porat**, "[The Hidden Roles of Boilerplate and Standard-Form Contracts: Strategic Imposition of Transaction Costs, Segmentation of Consumers, and Anticompetitive Effects](#)," *Michigan Law Review*, vol. 104, 983-1032 (2006).
7. **David Gilo and Ehud Guttel**, "[Negligence and Insufficient Activity: The Missing Paradigm in Torts](#)," *Michigan Law Review* (2009).
8. **David Gilo and Yossi Spiegel**, "[The Antitrust Prohibition of Excessive Pricing](#)," International Journal of Industrial Organization, forthcoming (2018).
9. **Ariel Ezrachi and David Gilo**, "[EU Competition Law and the Regulation of Passive Investments Among Competitors](#)" Oxford Journal of Legal Studies, vol. 26, p. 327–349 (2006)
10. **David Gilo**, "[A Market-Based Approach to Telecom Interconnection](#)," *Southern California Law Review*, vol. 77 (2003), 1-75.
11. **David Gilo and Ariel Porat**, "[Viewing Unconscionability through a Market Lens](#)", *William and Mary Law Review* (2010).
12. **David Gilo**, "[Retail Competition Percolating through to Suppliers, and Using Vertical Integration, Vertical Restraints and Tying to Stop It](#)," *Yale Journal on Regulation*, vol. 20, p. 25, 57-81 (2003).
13. **Ariel Ezrachi and David Gilo**, "[Excessive Pricing, Entry, Assessment, and Investment: Lessons From The Mittal Litigation](#)" *Antitrust Law Journal*, Vol 76, p. 873 (2010).
14. **David Gilo and Felice Simonelli**, "[The Price-Increasing Effects of Domestic Code-Sharing Agreements for Non-Stop Airline Routes](#)", *Journal of Competition Law and Economics*.
15. **Assaf Eilat, David Gilo and Guy Sagi**, "[Loyalty Discounts, Exclusive Dealing and Bundling: Rule of Reason, Quasi Per Se, Price-Cost Test or Something in between?](#)," *Journal of Antitrust Enforcement* (2015).
16. **David Gilo and Yossi Spiegel**, "[Network Interconnection with Competitive Transit](#)," *Information Economics and Policy*, vol. 16 (2004) 439-458.

17. **David Gilo**, "[The Problem of Bank Rescues: A Comment on Miwa and Ramseyer](#)", *Theoretical Inquiries in Law*, vol. 6, p. 65-70 (2004).
18. **David Gilo and Yossi Spiegel** "[The Credit Card Industry in Israel](#)," *Review of Network Economics*, Vol.4, Issue 4 – December 2005.
19. **Ariel Ezrachi and David Gilo**, "[Are Excessive Prices Really Self-Correcting?](#)", *Journal of Competition Law and Economics* (2008).
20. **David Gilo and Yossi Spiegel**, "Partial Vertical Integration in Telecommunications Markets in Israel, *Quarterly of Economics*, 2010 ([in Hebrew](#)).
21. **David Gilo and Alon Klement**, "Procedure and Substance in Excessive Pricing Class Actions: A Combined Approach for Realizing Optimal Deterrence", forthcoming, *Iunei Mishpat* Vol. 45 (2021) ([in Hebrew](#)).
22. **David Gilo**, "[The \(Lack of\) Economic Analysis by Courts in Israeli Antitrust Cases Concerning Restraints of Trade](#)," *Israel Law Review*, vol. 39(3) p. 98-122 (2006).
23. **David Gilo**, "Tnuva vs. the Head of the Antitrust Authority: Dynamic Analysis in Mergers", *Hamishpat Law Review* vol. 8 (1998). ([in Hebrew](#))
24. **David Gilo**, "Toward a New Legal Policy Toward Covenants not to Compete," *Tel Aviv University Law Review*, vol. 23, p. 63 (2000). ([in Hebrew](#))
25. **David Gilo**, "Is it Sensible to Break Down the Dam of Illegal Restraints and Block the Flood with Ad Hoc Fences?" *Tel Aviv University Law Review*, vol. 27 (2003). ([in Hebrew](#))
26. **David Gilo**, "When Contracts Harm Competition in The Promisee's Market," *Tel Aviv University Law Review*, vol. 28 (2004). ([in Hebrew](#))
27. **David Gilo**, "Trade Secrets, Competitiveness and Asymmetric Information," *Din Udvarim Law Review*, vol. 2, 675 (2006). ([in Hebrew](#))
28. **David Gilo**, "Passive Investments among Competitors in Israel", *Mishpatim Law Review* (2006). ([in Hebrew](#)).
29. **David Gilo**, "The Importance of the Proposed Amendment Number 9 of the Antitrust Act, its Declarative Nature, And A Proposal to Remove The Burden of Economic Analysis from Civil Courts," *Tel Aviv University Law Review*, vol. 29 (2006). ([in Hebrew](#))
30. **David Gilo**, "The Complexity of the Anticompetitive Effects of Exclusivity in Shopping Malls," *Mechkarei Mishpat Law Review*, vol. 23(1) (2006). ([in Hebrew](#)).
31. **David Gilo**, "Changes in The Treatment of Vertical Restraints," *Hamishpat* (2007) ([in Hebrew](#))
32. **David Gilo**, "Mergers According to The Antitrust Law-A Critical Assessment," *Law and Business* (2008) ([in Hebrew](#))

33. **David Gilo**, “Are Price Recommendations An Antitrust Violation, and Why?,” *Iunei Mishpat*, (2010) ([in Hebrew](#))
34. **Ariel Ezrachi and David Gilo**, “The Power of the Private Label-an Antitrust Perspective”, *Taagidim* (2010) ([in Hebrew](#))
35. **David Gilo**, “Excessive Pricing as Abuse of Monopoly Power” (in Hebrew), *Mishpatim Law Review*, Vol. 45 (2015)
36. **David Gilo**, “The Food Law” ([In Hebrew](#)), *Mechkarei Mishpat* (2015).

#### **b. Chapters in Books:**

37. **David Gilo and Ariel Porat** “[The Unconventional Uses of Transaction Costs](#)”, *Boilerplate: Foundations of Market Contracts*, (Omri Ben Shahr-ed.) Cambridge University Press (2007).
38. **David Gilo** “[Passive Investment](#)”: *Issues in Competition Law and Policy* (American Bar Association, Wayne Dale Collins Ed. 2006).
39. **David Gilo** “[The Deterrent Factor of Damages that Affect Pricing](#),” in *Comparative Remedies for Breach of Contract*, 235-247 (Nili Cohen and Ewan McKendrick, ed., Hart, Oxford, 2005).
40. **David Gilo** "[Private labels, dual distribution and vertical restraints – An analysis of the competitive effects](#)," *Private Labels, Brands and Competition Policy, The Changing Landscape of Retail Competition* (Ariel Ezrachi & Ulf Bernitz eds, 2008).
41. **Ariel Ezrachi and David Gilo** “[The Darker Side of the Moon–The Assessment of Excessive Pricing and Proposal for a Post-entry Price-cut Benchmark](#)” *Studies of the Oxford Institute of European and Comparative Law* (Hart publishing) (2010).
42. **David Gilo**, “A Coherent Approach to the Antitrust Prohibition of Excessive Pricing by Dominant Firms”, Forthcoming in “Excessive Pricing and Competition Law Enforcement” (Frederic Jenny and Yannis Katsoulacos, eds. Springer 2018).
43. **David Gilo**, “Excessive Pricing by Dominant Firms, Private Litigation, and the Existence of Alternative Products”, Forthcoming in *Frédéric Jenny Liber Amicorum, Concurrences*, 2018.
44. **David Gilo** “Contracts Restraining Competition and Contracts of a Monopolist,” in *Contracts*, vol. III (D. Friedmann and N. Cohen eds) (2003) ([in Hebrew](#)).
45. **David Gilo and Yossi Spiegel** “Vertical Restraints” in *Economics and Legal Analysis of Antitrust Law* (M. Gal and M. Perlman eds) (2008) ([in Hebrew](#)).

46. **David Gilo** “Intervention against Oppressive Terms in Standard Form Contracts in a Competitive Market, and the Virtue of a Monetary Sanction against Oppression” in The Friedmann Book (N. Cohen and O. Grosskopf eds) (2007) ([in Hebrew](#)).
47. **David Gilo** “Economic Analysis of Antitrust” in “Economic Analysis of Law” (U. Procaccia) (2013) ([in Hebrew](#)).
48. **David Gilo**, “Minimum Resale Price Maintenance after Supersol” (in Hebrew), forthcoming in The Rubinstein Book, 2018.

## **Book**

### **Ariel Ezrachi and David Gilo**

“A Comparative Analysis of Israeli and EU Competition Law” (Nevo, 2019)