

CANADIAN COMPETITION RECORD

TABLE OF CONTENTS

Message from the Editors	(i)
Canadian Competition Law and Policy Developments	
The "Undueness" Threshold and Section 45: A Commentary on <i>Clarke Transport</i> , Paul Collins and Nina Norregaard	1
Director's Policy on Strategic Alliances Outlined in <i>New Information Bulletin</i> , Jennifer S. Trent and Jeffery D. Jenkins	8
Update on Status of Yellow Pages Publishers Case, Karen B. Groulx	11
Statements Issued by the Competition Bureau:	
Director Releases Bulletin on Strategic Alliances	12
Director Seeks Consent Order from Competition Tribunal in Interac	12
Information Backgrounder: Interac Case	14
Another Fine Levied under the <i>Competition Act</i> in Joint Canada-U.S. Investigation	17
Foreign and International Competition Law and Policy Developments	
Australian Newsletter, R. Baxt and H.R. Spier	18
Failure to Disclose Patent During Industry Standards Approval Process May Cost U.S. Computer Manufacturer, Jeffery D. Jenkins	21
Regulatory and Trade Developments	
Eco-Labeling and Free Trade Principles: Are they Compatible? Bruce R. Hirsh and Kristy L. Balsanek	23
Comment and Analysis	
Bruce C. Caughill and D. Jeffrey Brown:	The Use of Formal Investigatory Powers in Merger Examinations by the Director
	27
Paul S. Crampton and Richard F.D. Corley:	Merger Review Under the <i>Competition Act</i> : Reflections on the First Decade
	37
James Musgrove:	The Change of Price: Some Modest Proposals to Amend Canada's Pricing Laws
	66
Calvin S. Goldman, Q.C. and Joel T. Kissack:	Current Issues in Cross-Border Criminal Investigations: A Canadian Perspective
	81

CANADIAN COMPETITION RECORD

Suite 1200-180 Elgin St.
Ottawa, Ontario, Canada
K2P 2K7

Phone: (613) 235-0690 Fax: (613) 563-7800

Published by Fraser & Beatty Legal Publications Inc.

EDITOR

RANDAL T. HUGHES
B.Comm., LL.B.

ASSOCIATE EDITOR

DAVID P. LITTLE
B.A. (Hons.), LL.B

COMPTROLLER

PAT CAFFERY

PRODUCTION ASSISTANTS

MICHAEL FEINDEL
SANDRA KELLY
SUSAN WEICHERT

Publications Mail Registration Number 0484547
Return Postage Guaranteed

The *Canadian Competition Record* is published quarterly. It is intended to provide readers with information regarding competition developments and related developments in the areas of regulatory and trade policy and law. Readers are cautioned that the publisher and the editors are not, through this publication, engaged in giving legal or other professional advice. If legal advice or other professional services are required, the assistance of a qualified professional should be obtained.

Readers are invited to submit concise pieces for publication as well as to alert the editors to matters of interest such as conferences, papers, speeches, and submissions. Views expressed by contributors are not necessarily those of the editors or the publisher.

Printed by Performance Printing Limited, Smiths Falls, Ontario

ISSN 1195-8081

© Fraser & Beatty Legal Publications Inc. 1996