

This is a supplementary material to the book **Competition Law in Switzerland: Law and Practice in a European Context 2023 Springer**, by Pranvera Kellezi.

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List of cases

This section provides a non-exhaustive list of the main FSC and FAC cases commented on in the book *Competition Law in Switzerland: Law and Practice in a European Context* (Springer, 2023).

Swiss Federal Supreme Court (FSC)

FSC, judgment of 15 February 1966, Alex Martin contre l'Association suisse des fabricants de cigarettes, [ATF/BGE 92 II 1](#)

FSC, judgment of 16 September 1970, Denner v Schweizer Bierbrauerverein, [ATF 96 I 297](#)

FSC, judgment of 18 September 1973, Verband des Schweizerischen Spirituosen Gewerbes gegen Angehrn & Co, [ATF 99 II 228](#)

FSC, judgment of 3 February 1995, ATF/[BGE 121 IV 104](#)

FSC, judgement of 26 September 1996, ATF/[BGE 122 IV 279](#)

FSC, judgment of 23 October 1996, Chanel, ATF/[BGE 122 III 469](#)

FSC, judgment of 20 July 1998, Nintendo, ATF/[BGE 124 III 321](#)

FSC, judgment of 10 August 1998, Engel, ATF/[BGE 124 II 499](#)

FSC, judgment of 13 November 1998, ATF/[BGE 124 III 495](#)

FSC, judgment of 7 December 1999, Kodak, [ATF 126 III 129](#)

FSC, judgment of 24 April 2001, Rhône-Poulenc SA et Merck & Co. Inc (Merial), ATF/[BGE 127 III 219](#)

FSC, judgment of 13 March 2001, [2A.530/2000](#), Swisscom c. TDC Switzerland, ATF/[BGE 127 II 132](#)

FSC, judgment of 14 August 2002, 2A.298/2001 and 2A.299/2001, Sammelrevers, ATF/[BGE 129 II 18](#)

FSC, judgment of 17 June 2003, 2A.520/2002, EEF, ATF/[BGE 129 II 497](#)

FSC, judgment of 19 December 2003, 2A.417/2003, Sellita Watch Co SA c. ETA SA Manufacture Horlogère Suisse, ATF/[BGE 130 II 149](#)

FSC, judgment of 13 July 2004, 2A.74/2004, ATF/[BGE 130 II 521](#)

FSC, judgement of 1 March 2005, ATF/[BGE 131 III 360](#)

FSC, judgement of 6 February 2007, 2A.430/2006

FSC, judgment of 19 January 2007, 4C.371/2006

FSC, judgement of 18 April 2007, 4C.386/2006, ATF/BGE 133 III 323

FSC, judgement of 12 June 2008, 4A_16/2008, ATF/BGE 134 III 438

FSC, judgment of 12 December 2008, 2C_292/2008, ATF/BGE 135 II 60

FSC, judgment of 1 February 2010, 4A_546/2009

FSC, judgment of 11 April 2011, 2C_343/2010 and 2C_344/2010, ATF/BGE 137 II 199

FSC, judgment of 29 June 2012, 2C_484/2010, Publigroupe, ATF/[BGE 139 I 72](#)

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FSC, judgment of 23 May 2013, 4A_449/2012, ATF/[BGE 139 II 316](#), L'Etivaz

FSC, judgment of 5 October 2015, 2C_1004/2014, Interprofession du Gruyère

FSC, judgment of 18 May 2016, 5D_13/2016

FSC, judgment of 28 June 2016, 2C_180/2014, ATF/[BGE 143 II 297](#), Gaba

FSC, Judgment of 26 September 2016, 2C_916/2014 and 2C_917/2014, ATF/[BGE 143 II 8](#)

FSC, judgment of 24 October 2017, 2C_63/2016, BMW, ATF/[BGE 144 II 194](#)

FSC, judgment of 18 May 2018, 2C_101/2016, Altimum, ATF/[BGE 144 II 246](#)

FSC, judgement of 14 March 2018, 4A_417/2017, Swatch

FSC, judgment of 9 December 2019, 2C_985/2015, Preispolitik Swisscom ADSL, ATF/[BGE 146 II 217](#)

FSC, judgment of 12 February 2020, 2C_113/2017, Hallenstadion

FSC, judgment of 8 March 2021, 2C_383/2020, ATF/[BGE 147 II 144](#)

FSC, judgment of 18 March 2021, 2C_1040/2018 and 2C_1051/2018, ATF/[BGE 147 II 227](#)

FSC, judgment of 4 February 2021, 2C_149/2018, Pfizer, ATF/[BGE 147 II 72](#)

FSC, judgement of 23 September 2021, 2C_934/2020

FSC, judgment of 21 December 2021, 2C_43/2020, Dargaud,
ATF/[BGE 148 II 25](#)

FSC, judgment of 18 January 2022, 4A_229/2021, [ATF 148 III 77](#)

FSC, judgment of 3 March 2022, [2C_44/2020](#), Flammarion

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FSC, judgment of 8 December 2022, [2C_33/2020](#), Interforum Suisse SA

FSC, judgment of 9 May 2023, [2C_395/2021](#), Naxoo

Swiss Federal Administrative Court (FAC)

FAC, judgment of 1 June 2010, [B-420/2008](#), Implenia

FAC, judgment of 1 June 2010, [B-360/2008](#), Spalu

FAC, judgment of 27 April 2010, case [B-2977/2007](#), Publigruppe

FAC, judgment of 4 September 2015, [B-7633/2009](#), Preispolitik Swisscom ADSL

FAC, judgment of 13 November 2015, [B-3332/2012](#), BMW

FAC, judgment of 16 September 2016, [B-581/2012](#), Nikon

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FAC, judgment of 25 June 2018, [B-807/2012](#), Wettbewerbsabreden im Strassen- und Tiefbau im Kanton Aargau, ERNE

FAC, judgment of 3 May 2018, [B-3871/2017](#), Ticketcorner Holding AG v COMCO

FAC, judgment of 25 June 2018, [B-807/2012](#) Wettbewerbsabreden im Strassen- und Tiefbau im Kanton Aargau, ERNE

FAC, judgment of 18 December 2018, [B-831/2011](#), SIX DCC

FAC, judgment of 30 October 2019, [B-3975/2013](#), Marché du livre écrit en français

FAC, judgment of 13 May 2020, B-409/2020, Swatch Group Lieferstopp

FAC, judgment of 2 April 2020, [B-823/2016](#), Music Hug

FAC, judgment of 16 February 2021, [B-2798/2018](#), Naxoo/Supermédia

FAC, judgment of 19 January 2022, [B-2597/2017](#), Kommerzialisierung von elektronischen Medikamenteninformationen

FAC, judgment of 9 August 2021, [B-5119/2019](#), Strassenbau Graubünden/Centorame

FAC, judgment of 9 August 2021, [B-5130/2019](#), Strassenbau Graubünden/Schlub

FAC, judgment of 12 December 2022, [B-141/2012](#), Estée Lauder/ASCOPA

FAC, judgment of 10 May 2022, [B-4003/2016](#), Sport im Pay-TV

FAC, judgment of 16 February 2023, [B-3882/2021](#)

FAC, judgment of 5 June 2023, [B-4596/2019](#) CA Auto Finance
Suisse SA