

MPI Studies on Intellectual Property and Competition Law 30



Christine Godt
Matthias Lamping *Editors*

A Critical Mind

Hanns Ullrich's Footprint in
Internal Market Law, Antitrust
and Intellectual Property

 Springer

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Preface

This book aims to outline the academic footprint of Hanns Ullrich. It is not a classic ‘Festschrift’—he was presented with one of those in 2009. The purpose of this sequel is to shine a spotlight on Hanns Ullrich’s outstanding thoughts on law and policy, and illustrate how they have inspired other scholars.

He may not think of himself this way, but in many areas Hanns Ullrich has become known as a trailblazer. He loves to challenge the prevailing opinion, picking holes in arguments and ideas which are thought of as incontestable. The emphatic way in which he intervenes in discussions triggers reflexive contemplation and provides food for thought. It is for this reason that others devour his publications, in search of alternative ways to think and argue about the integration of markets, the relationship of competition and intellectual property, innovation, technology development, and policy balancing in economic law. This book tries to trace how the ‘five major aspects of his leitmotif’, as impeccably described by Peter Behrens in his personal preface to Hanns Ullrich’s Festschrift of 2009, have played out in more recent scholarship. We therefore asked disciples, colleagues, friends, and professional companions to honour this outstanding academic personality by participating in a symposium at Hanns Ullrich’s preferred conference location Schloss Ringberg in February 2020, and by sharing their take on his academic legacy in this book.

Hanns Ullrich’s major research interests serve as a basis for the structure of this book:

First, he is and has always been a believer in a strong European legal order which confines both markets and states, for the sake of individual freedom—yet being well aware of the necessities of the power of state, and the risks of collusion of state and economic power.

For purely formal reasons, we devote two separate chapters to competition and intellectual property, although Hanns Ullrich has always seen them as two sides of the same coin. The exploration of the interface between these two areas became the heart of his particularly outspoken position on regulatory policy. To him, these institutions are upheld for a purpose. Neither one of them, competition or intellectual

property, is a given fact. They need to be justified in a deliberate process in which opposing policy goals are to be balanced.

Fourth, Hanns Ullrich has always been interested in new technologies and how they can be integrated into the legal and regulatory framework. Whether it is software, information technologies, biotechnology, or artificial intelligence, he has never shied away from getting to the bottom of it.

Last but not least, he has a passion for international economic integration as a means to secure peace and ensure economic development.

Hanns Ullrich has become an inexhaustible source of inspiration for other academics. While we are well aware that some important contributions of his have not been addressed in this book—such as his analysis of the European patent and court system, intergovernmentalism as a source of national manoeuvring, and the tension between research and industrial politics, among others—those that have been taken up by the authors present conclusive evidence of how his ideas have provided inspiration for new or alternative academic thought.

What we hope this book shows is that Hanns Ullrich belongs to a rare species of academics. He wears his heart on his sleeve and is always up for a controversial debate. It is this tenacity paired with his great passion that has allowed him to contribute so much to the progress of thought in so many areas of law.

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