

## BIBLIOGRAPHY

### A. Books

- Akehurst, Michael. *A Modern Introduction to International Law*. 7th ed. London: Routledge, 1997.
- Lubis, Andi Fahmi, Anna Maria Tri Anggriani, Budi Kagramanto, M. Hawin, Ningrum Natasya Sirait, Paramita Prananingtyas, Sukarni, Syamsul Maarif, Udin Silalahi. *Hukum Persaingan Usaha*. 2nd ed. Central Jakarta, DKI Jakarta: Komisi Pengawas Persaingan Usaha (KPPU), 2017.
- Asmah. *Hukum Persaingan Usaha*. Edited by La Ode Husein. Makassar: CV. Social Politic Genius (SIGn), 2017.
- Bonakele, Tembinkosi, Eleanor M. Fox, and Liberty Mncube. *Competition Policy for the New Era: Insights from the BRICS Countries*. Oxford: Oxford University Press, 2018.
- Citrawinda, Cita. *Hukum Persaingan Usaha*. Jakad Media Publishing, 2021.
- Harry Agustanto, and Chandra Setiawan. *Dua Dekade Penegakan Hukum Persaingan: Perdebatan Dan Isu Yang Belum terselesaikan*. Komisi Pengawas Persaingan Usaha, 2021.
- Hoofnagle, Chris Jay. *Federal Trade Commission Privacy Law and Policy*. Cambridge: Cambridge University Press, 2016.  
[doi:10.1017/CBO9781316411292](https://doi.org/10.1017/CBO9781316411292).
- “United States v. Aluminum Co. of America 148 F.2d 416 (2nd Cir. 1945).” Essay. In *Casenote Legal Briefs - International Law*, 17. Aspen Publishers, 2003.
- Kaylani, Ahmad. *Negara Dan Pasar Dalam Bingkai Kebijakan Persaingan*. Komisi Pengawas Persaingan Usaha Republik Indonesia, 2011.
- Lubis, Andi Fahmi, Anna Maria Tri Anggriani, Budi Kagramanto, M. Hawin, Ningrum Natasya Sirait, Paramita Prananingtyas, Sukarni, Syamsul Maarif, Udin Silalahi. *Hukum Persaingan Usaha*. 2nd ed. Central Jakarta, DKI Jakarta: Komisi Pengawas Persaingan Usaha (KPPU), 2017.
- Neumann, Manfred, and Jürgen Weigand. *The International Handbook of Competition*. Cheltenham: Edward Elgar Pub., 2013.
- Nugroho, Susanti Adi. *Hukum Persaingan Usaha Di Indonesia Dalam Teori Dan Praktik Serta Penerapan Hukumnya*. Rawamangun, Jakarta: Kencana, 2012.
- Recueil Des Cours: Collected Courses of The Hague Academy of International Law. The Hague/Boston/London : Martinus Nijhoff Publishers, 1996.
- Shaw, Malcolm N. *International Law*. 6th ed. Cambridge, United Kingdom: Cambridge University Press, 2008.
- Sudiarto. *Pengantar Hukum Persaingan Usaha Di Indonesia*. 1st ed. Rawamangun, DKI Jakarta: Kencana Prenada Media Group, 2021.

Usman, Rachmandi. *Hukum Persaingan Usaha Di Indonesia*. Jakarta, DKI Jakarta: Sinar Grafika, 2013.

## B. Journals

- American Banana Company v. United Fruit Company.” *American Journal of International Law* 3, no 4 (1909), 1009. doi:10.2307/2186436.
- Alford, Roger P. “The Extraterritorial Application of Antitrust Laws: The United States and European Community Approaches .” *Virginia Journal of International Law* 33, no. 1 (1992): 6.
- “Article 3. Territorial Jurisdiction.” *American Journal of International Law* 29, no. S1 (1935). doi:10.2307/2213639.
- Aydin, Umut and Tim Büthe. "COMPETITION LAW & POLICY IN DEVELOPING COUNTRIES: EXPLAINING VARIATIONS IN OUTCOMES; EXPLORING POSSIBILITIES AND LIMITS." *Law and Contemporary Problems* 79, no. 4 (2016). <http://www.jstor.org/stable/45019869>.
- Beckler, Richard W., Matthew H. Kirtland. "Extraterritorial Application of U.S. Antitrust Law: What Is a Direct, Substantial, and Reasonably Foreseeable Effect under the Foreign Trade Antitrust Improvements Act," *Texas International Law Journal* 38, no. 1 (Winter 2003): 18-9.
- Brill, Charles A., and Brian A. Carlson. “U.S. and Japanese Antimonopoly Policy and the Extraterritorial Enforcement of Competition Laws.” *The International Lawyer* 33, no. 1 (1999). <http://www.jstor.org/stable/40707467>.
- Cavanagh, Edward D. “The FTAIA and Subject Matter Jurisdiction over Foreign Transactions under the Antitrust Laws: The New Frontier in Antitrust Litigation.” *SMU Law Review* 56, no. 4. (2003).
- Chang, Seung Wha. “Extraterritorial Application of U.S. Antitrust Laws to Other Pacific Countries: Proposed Bilateral Agreements for Resolving International Conflicts within the Pacific Community.” *Hastings Int'l Comp. L. Rev.* 16, no. 3 (1993).
- Conlango, Anthony J. "What Is Extraterritorial Jurisdiction?" *Symposium on Extraterritoriality* 99, no. 6 (September 6, 2014).
- Coppel, Jason. “A Hard Look at the Effects Doctrine of Jurisdiction in Public International Law.” *Leiden Journal of International Law* 6, no 1 (1993). doi:10.1017/S0922156500001643.
- Darmawan, Irma Ambarini, Isis Ikhwanasyah, and Pupung Faisal. “Cross-Border Business Competition: Keabsahan Dan Hambatan Penerapan Prinsip Ekstrateritorial .” *Jurnal Bina Mulia Hukum* 3, no. 1 (September 2018).
- Disemadi, Hari Sutra. "The Enforcement of Business Competition Law by the Police." *Lentera Hukum* 6, no. 2 (2019): 204. <https://doi.org/10.19184/ejhl.v6i2.12013>.
- Dresnick, Jordan A., Kimberley A. Piro, and Israel J. Encinosa. “The United States as Global Cop: Defining the ‘Substantial Effects’ Test in U.S.

- Antitrust Enforcement in the Americas and Abroad.” *The University of Miami Inter-American Law Review* 40, no. 3 (2009). <http://www.jstor.org/stable/25593627>.
- “Extraterritorial Application of EU Competition Law: The New Standard-Bearer of Legal Imperialism? .” *Hüseyin Çağrı ÇORLU* 20, no. 2 (September 28, 2021).
- Garvey, George E. “The Foreign Trade Antitrust Improvements Act of 1981.” *Law & Policy in International Business* 14, no. 1 (1982).
- Griffin, Joseph P. “EXTRATERRITORIALITY IN U.S. AND EU ANTITRUST ENFORCEMENT.” *Antitrust Law Journal* 67, no. 1 (1999). <http://www.jstor.org/stable/40843428>.
- Sukarni, Hassan Qaqaya, Fransiska A. Susanto, and Rika Kurniaty. “The Qualified Effects Doctrine in the Extraterritorial of Competition Law Application: An Indonesian Perspective.” *Sriwijaya Law Review* 5, no. 2 (July 2021).
- “Timberlane Lumber Co. v. Bank of America National Trust & Savings Association. 749 F.2d 1378.” *American Journal of International Law* 79, no. 3 (1985). doi:10.2307/2201902.
- Trenor, John A. “Jurisdiction and the Extraterritorial Application of Antitrust Laws after Hartford Fire.” *The University of Chicago Law Review* 62, no. 4 (1995): 1592. <https://doi.org/10.2307/1600114>.
- Hartley, Trevor C. “Extraterritorial Application of US Antitrust Law.” Chapter. Dans *International Commercial Litigation: Text, Cases and Materials on Private International Law*. Cambridge: Cambridge University Press, 2009. doi:10.1017/CBO9780511808739.034
- Haight, G H. “Antitrust Laws and the Territorial Principle.” *A Symposium on Trade Regulation and Practices* 11, no. 1 (December 1957).
- Holliday, W. T. “THE FEDERAL TRADE COMMISSION.” *American Bar Association Journal* 8, no. 5 (1922). <http://www.jstor.org/stable/25710877>.
- Jain, Chirayu, Single Economic Entity Doctrine in India (October 29, 2017). Available at SSRN: <https://ssrn.com/abstract=3184957> or <http://dx.doi.org/10.2139/ssrn.3184957>
- Kim, Won-Ki. “The Extraterritorial Application of U.S. Antitrust Law and Its Adoption in Korea.” *Singapore Journal of International & Comparative Law* 7 (2003).
- Lamaj, Jonida. “The Evolution of Antitrust Law in the USA .” *European Scientific Journal* 13, no. 4 (February 2017). <https://doi.org/10.19044/esj.2018.v13n4p154>.
- Lazarus, Alan J. “JURISDICTION, VENUE, AND SERVICE OF PROCESS ISSUES IN LITIGATION INVOLVING A FOREIGN PARTY.” *Tort & Insurance Law Journal* 31, no. 1 (1995). <http://www.jstor.org/stable/25762535>.

- Leigh, Monroe. "Laker Airways Limited v. Sabena, Belgian World Airlines. 731 F.2d 909." *American Journal of International Law* 78, no. 3 (1984). doi:10.2307/2202608.
- Lobas, Richard. "A Quest for Consistency: The Meaning of 'Direct' in the Foreign Trade Antitrust Improvements Act." *The Global Business Law Review* 5, no. 1 (January 5, 2016). <https://engagedscholarship.csuohio.edu/gblr/vol5/iss1/2>.
- Mitchell, Andrew D. "Broadening the Vision of Trade Liberalization: International Competition Law and the WTO." *World Competition* 24, no. 3 (2001).
- McGee, John S. "Predatory Price Cutting: The Standard Oil (N. J.) Case." *The Journal of Law & Economics* 1 (1958). <http://www.jstor.org/stable/724888>.
- Norton, Joseph Jude. "Extraterritorial Jurisdiction of U.S. Antitrust and Securities Laws." *International and Comparative Law Quarterly* 28, no 4 (1979), 577. doi:10.1093/iclqaj/28.4.575.
- Paasman, Berend R. "Multilateral Rules on Competition Policy: an Overview of the Debate." *SERIE Comercio Internacional*, 2, 1999.
- Perry, Adam B. "Which Cases Are 'Such Cases': Interpreting and Applying Section 12 of the Clayton Act." *Fordham Law Review* 76, no. 2 (2007).
- Pratama, Rizal Aji. "Pengaturan Monopoli Kartel Oleh Pelaku Usaha Dalam Persaingan Usaha Garam: Suatu Kajian Putusan KPPU No. 10/KPPU-L/2005." *Ius Constituendum* 3, no. 2 (October 2018).
- Putra, Rizky Noyvan. "Urgensi Keberadaan Hukum Persaingan Usaha Dan Anti Monopoli Di Indonesia ." *Business Law Review* 1 (2016).
- Posner, Richard A. "The Federal Trade Commission." *The University of Chicago Law Review* 37, no. 1 (1969). <https://doi.org/10.2307/1599016>.
- Rosic Jr, Edward A. "The Use of Interest Analysis in the Extraterritorial Application of United States Antitrust Law ." *Cornell International Law Journal* 16, no. 147 (1983).
- Ruyak, Robert F. "VENUE AND IN PERSONAM JURISDICTION INVOLVING ALIEN CORPORATIONS." *Antitrust Law Journal* 50, no. 3 (1981). <http://www.jstor.org/stable/40842670>.
- Shin, Joong Sik. "Extraterritorial Application of U.S. Antitrust Law ." *Land & Water Law Review* 25, no. 1 (1990).
- Singh, S. N. "ANTI-TRUST LAWS OF THE UNITED STATES OF AMERICA." *Journal of the Indian Law Institute* 13, no. 4 (1971). <http://www.jstor.org/stable/43950299>
- Silalahi, Udin. "Single Economic Entity: Kajian Hukum Persaingan Usaha Di Indonesia ." *Jurisdictie: Jurnal Hukum dan Syariah* 9, no. 1 (2018).
- Sirait, Ningrum Natasya. "The Development and Progress of Competition in Indonesia ." *The Antitrust Bulletin* 54, no. 1 (2009).

- Toha, Kurnia. (2015). Extraterritorial Applicability of Indonesia Business Competition as an Effort Dealing ASEAN Single Market. *Jurnal Dinamika Hukum* , 15(1).
- Victor, A. Paul, and Robert K. Hood. "PERSONAL JURISDICTION, VENUE AND SERVICE OF PROCESS IN ANTITRUST CASES INVOLVING INTERNATIONAL TRADE: AMENABILITY OF ALIEN CORPORATIONS TO SUIT." *Antitrust Law Journal* 46, no. 4 (1978). <http://www.jstor.org/stable/40839918>.
- Wicaksono, M. R., Raditya, K., Andrini, L., Hawin, M., Sugarda, P., Herliana, H., & Hariyanto, H. (2019). Implementing the Extraterritoriality Principle to Strengthen Competition Law Enforcement in Indonesia in the AEC Era: a Comparative Study. *Indonesia Law Review*, 9(1), 36. <https://doi.org/10.15742/ilrev.v1n9.498>
- White, E. Wyndham. "Competition and the Law—II: United States of America." *Journal of Comparative Legislation and International Law* 20, no. 1 (1938). <http://www.jstor.org/stable/754438>.
- Zelger, Bernadette. "EU Competition Law and Extraterritorial Jurisdiction - A Critical Analysis of the ECJ's Judgement in Intel ." *European Competition Journal* 16, no. 2-3 (November 15, 2020). <https://doi.org/https://doi.org/10.1080/17441056.2020.1840844>.

### C. Statutory Provisions

Clayton Act  
Foreign Trade Antitrust Improvement Acts of 1982  
Law Number 5 of 1999 Concerning the Ban on Monopolistic Practices and Unfair Business Competition  
Presidential Decree Number 75 of 1999 Concerning *Komisi Pengawas Persaingan Usaha*  
Sherman Antitrust Act  
United States of Federal Procedural Law

### D. Thesis

Hutapea, Kristian. "Penerapan Prinsip Ekstrateritorialitas Dalam Penegakan Hukum Persaingan Usahan (Studi Putusan KPPU Nomor 7/KPPU-L/2007 Tentang Kasus Temasek)." Thesis, Faculty of Law of North Sumatera, 2018: 93

### E. Precedents Case

American Banana Co. v. United Fruit Co., 213 U.S. 347 (1909).  
Access Telecom, Inc. v. MCI Telecommunications Corp., Federal and State Antitrust Claims: Prima Facie Showing.  
Burger King Corp. v. Rudzewicz, 471 U.S. 462 (1985)  
Guirlando v. T.C. Ziraat Bankasi A.S., 602 F .3d., (2nd Cir. 2010).  
Hartford Fire Insurance Co., 282 U.S. 251 (1931)



*Komisi Pengawas Persaingan Usaha (KPPU)*, Decision Number: 07/KPPU-L/2004.

*Komisi Pengawas Persingan Usaha (KPPU)*, Decision Number: 07/KPPU-L/2007.

*Komisi Pengawas Persaingan Usaha (KPPU)*, Decision Number: 03/KPPU-L/2008.

*Laker Airways v. Sebena* Belgian World Airlines, 731, F.2d 909.

*Republic of Argentina v. Weltover, Inc.* 504 U.S. 607 (1992).

*Rose v. Himely*, 8 U.S. (4 Cranch) 241 (1808).

*U.S. v. Aluminum Co. of America*, 148 F.2d 416 (2d Cir. 1945).

*The Schooner Exchange v. McFaddon*, 11 US 116 (1812).

*Timberlane Lumber Co. v. Bank of America Case*, 574 F. (1983)

*Virtual Countries v. Republic of South Africa*, 300 F. 3d. 230 (2d Cir. 2002).

## F. Others

“Antitrust Enforcement Guidelines for International Operations.” The United States Department of Justice, August 8, 2016. <https://www.justice.gov/atr/antitrust-enforcement-guidelines-international-operations>.

APEC Committee on Trade and Investment (CTI). "Study on Competition Laws for Developing Economies, 1999." Asia-Pacific Economic Cooperation. 1999.

Adamson, Joseph. "7th Circuit Extends Reach of FTAIA: Antitrust/Competition." [www.weil.com](http://www.weil.com). Weil, Gotshal & Manges LLP, July 2012.

Badroen, Zaki Zain, ed. “Pertemuan Bilateral KPPU - Kementerian Pengairan Dan Komisi Energi Tanzania.” *Media Berkala Komisi Pengawas Persaingan Usaha - Kompetisi*. Komisi Pengawas Persaingan Usaha, 2010. [https://kppu.go.id/wp-content/uploads/2020/03/kompetisi\\_2010\\_edisi21.pdf](https://kppu.go.id/wp-content/uploads/2020/03/kompetisi_2010_edisi21.pdf).

Badroen, Zaki Zein, ed. “Kunjungan Kehormatan Dan Pertemuan Bilateral Antara KPPU Dan KFTC: Soportan KPPU Terhadap Waralaba Dan Kekayaan Intelektual .” *Media Berkala Komisi Pengawas Persaingan Usaha: KOMPETISI*. Komisi Pengawas Persaingan Usaha, 2009. [https://www.kppu.go.id/docs/Kompetisi/kompetisi\\_16.pdf](https://www.kppu.go.id/docs/Kompetisi/kompetisi_16.pdf).

“Bab I Pendahuluan A. Latar Belakang - DPR.” Dewan Perwakilan Rakyat Republik Indonesia. Accessed July 6, 2022. <https://www.dpr.go.id/dokakd/dokumen/RJ1-20170427-101602-9088.pdf>.

“Bilateral Cooperation in the Field of Competition .” ICAO Economic Development - Cooperation in the field of Competition. Accessed July 11, 2022. <https://www.icao.int/sustainability/Compendium/Pages/2-2-CooperationBilateral.aspx>.

- Behrens, Peter. "The Extraterritorial Reach of EU Competition Law Revisited: The "effects doctrine" before the ECJ." Discussion Paper No. 3/16. Europa-Kolleg Hamburg. Institute for European Integration, Hamburg. 11.
- Connor, John M. "The Private International Cartels (PIC) Data Set: Guide and Summary Statistics, 1990 - July 2016," Revised 2<sup>nd</sup> Edition, August 9, 2016.
- "Extraterritoriality." Oxford Public International Law, September 2020. <https://opil.ouplaw.com/view/10.1093/law:epil/9780199231690/law-9780199231690-e1040>.
- Huzaini, D. P. (2017, August 8). *Ekstrateritorialitas Penegakan Hukum Persaingan Usaha Persaingan Usaha Sebuah Keniscayaan*. HukumOnline.com. Retrieved January 3, 2022, from <https://www.hukumonline.com/berita/a/ekstrateritorialitas-penegakan-hukum-persaingan-usaha-sebuah-keniscayaan-lt598996a0c114b>
- KPPU Segera Periksa Astro TV - Ekonomi Dan Bisnis." Tempo. KORAN.TEMPO.CO, January 24, 2008. <https://koran.tempo.co/read/ekonomi-dan-bisnis/121436/kppu-segera-periksa-astro-tv>.
- "In Rem." Cornell Law School . Cornell Legal Information Institute. [https://www.law.cornell.edu/wex/in\\_rem](https://www.law.cornell.edu/wex/in_rem).
- "In Personam." Cornell Law School . Legal Information Institute. [https://www.law.cornell.edu/wex/in\\_personam](https://www.law.cornell.edu/wex/in_personam).
- Langbridge, Stephen, and Ingrid Rogers. "The Delatoy Case - Attributing Liability to a Single Economic Entity ." Simmons & Simmons, June 8, 2016. <https://www.simmons-simmons.com/en/publications/ck0anhg076uob0b94gchmr56o/02-the-delatoy-case-attributing-liability-to-a-single-economic-entity-4frlca>.
- The Premerger Notification Office, and DPIP and CTO Staff. "Notices of Penalty Offenses." Federal Trade Commission, April 25, 2022. <https://www.ftc.gov/enforcement/penalty-offenses>.
- Rep. *Report of the Task Force on Extraterritorial Jurisdiction*. New Haven, Connecticut : Yale University. <https://documents.law.yale.edu/sites/default/files/Task%20Force%20on%20Extraterritorial%20Jurisdiction%20-%20Report%20.pdf>
- United Nations Conference on Trade and Development (UNCTAD), and Marek Martyniszyn, *Developing Countries' Experience with Extraterritoriality in Competition Law §* (2021).
- "Overview." Komisi Pengawas Persaingan Usaha Republik Indonesia, October 19, 2018. <https://eng.kppu.go.id/overview/>.

Zerk, Jennifer. "Extraterritorial Jurisdiction: Lessons for the Business and Human Rights Sphere from Six Regulatory Areas ." Cambridge, June 2010.

Zecchini, Salvatore. "Glossary of Industrial Organization Economics and Competition Law," January 0, 2002.  
<https://www.oecd.org/regreform/sectors/2376087.pdf>