

# *Fordham International Law Journal*

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*Volume 28, Issue 4*

2004

*Article 1*

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## Dedication to Professor Valentine Korah

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# Dedication to Professor Valentine Korah

Roger J. Goebel

## **Abstract**

This is a tribute (dedication) to Professor Korah for being a leading academic in European Community competition law, together with the related fields of U.K. competition law and comparative/international antitrust.

# DEDICATION TO PROFESSOR VALENTINE KORAH

*Roger J. Goebel*

This symposium on current issues in European Union law, especially competition law, represents a small tribute to a gifted scholar and remarkable teacher, Valentine Korah. In dedicating this issue to her, the editors of the *Fordham International Law Journal* also act in some measure on behalf of the entire Fordham Law School community, manifesting its gratitude for the fourteen years of dedicated teaching that Valentine provided as a Visiting Professor in successive spring semesters. Valentine's warm, outgoing nature has endeared her over those years to her friends on the faculty and to her former students, with many of whom she loves to stay in contact.

For over forty years, Valentine Korah has been a leading academic in European Community competition law, together with the related fields of U.K. competition law and comparative/international antitrust. Indeed, Valentine was a pioneer in the field, teaching the first course in the United Kingdom devoted to competition law and writing one of the seminal studies, *EC Competition Law and Practice*, now in its eighth edition.<sup>1</sup> Valentine has taught directly or informed through her writings two generations of students, practitioners, and other academics.

Not only is Valentine a prolific writer, but her books and articles always command respectful attention, because she writes clearly and authoritatively about both legal and economical aspects of competition law. In addition to the basic text mentioned above, Valentine's casebook on EC Competition Law is a valuable teaching tool.<sup>2</sup> Noteworthy also are her six books presenting competition law in the diverse sectors of distribution agreements, patent licensing, know-how licensing, technology transfer, franchising, and R & D rules.<sup>3</sup> Each represents a com-

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1. VALENTINE KORAH, AN INTRODUCTORY GUIDE TO EC COMPETITION LAW AND PRACTICE (8th ed. 2004).

2. See VALENTINE KORAH, CASES AND MATERIALS ON EC COMPETITION LAW (2d ed. 2001).

3. See VALENTINE KORAH & DENIS O'SULLIVAN, DISTRIBUTION AGREEMENTS UNDER THE EC COMPETITION RULES (2002); see also VALENTINE KORAH, TECHNOLOGY TRANSFER AND THE EC COMPETITION RULES (1996); VALENTINE KORAH, KNOW-HOW LICENSING AGREEMENTS AND THE EEC COMPETITION RULES, REGULATION 556/89 (1989); VALENTINE

prehensive analytic description of evolving competition law in that field. (Depending on the color of the cover, Valentine refers to each as her “yellow peril” or “red light” or “green light” book.) Finally, Valentine has published an astonishingly large number of articles, case studies, monographs, and book reviews.

Valentine was an early advocate of the Chicago School market-efficiency approach to economics and has successfully absorbed serious economic analysis into her teaching and writing for many years. Partly as a consequence, she has never automatically accepted the various competition policy approaches of the EC Commission, but has rather consistently either praised or criticized aspects in function of whether she considers them to be sufficiently attuned to market realities or adequately promoting economic efficiency.

Valentine has always vigorously promoted a solid comprehension of competition law principles in the world of legal practice and business management. For decades, she has organized and spoken at conferences centered on aspects of Community and/or U.K. competition law for members of the practicing bar, corporate house counsel, and business executives. Her conference programs are always well-attended and recognized as representing cutting-edge thinking in the field.

However substantial her contributions to the academic world or the practicing bar, Valentine would undoubtedly cite teaching as her fundamental role in life. Generations of students have the same reaction: Valentine is a challenging teacher, requiring solid preparation, thoughtful reflection, probing analysis, and active participation. For Valentine, a student’s role is not to memorize rules, but rather to understand and critically evaluate them.

However, this picture of Valentine’s pedagogical talent is not complete without adding that she is a warm, friendly mentor. Valentine’s wine and cheese parties for the students are very much a part of her teaching experience. She is deeply interested in her students’ careers and potential. Moreover, she loves to stay in close contact with many of her former students. Whenever she travels to lecture or participate in a conference, Valentine is certain to renew her acquaintance with former students in the area. Many years after taking her courses, former students

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KORAH, FRANCHISING AND THE EEC COMPETITION RULES, REGULATION 4087/88 (1989); VALENTINE KORAH, R & D AND THE EEC COMPETITION RULES - REGULATION 418/85 (1986); VALENTINE KORAH, PATENT LICENSING AND EEC COMPETITION RULES: REGULATION 2349/84 (1985); VALENTINE KORAH, PATENT LICENSING AND EEC COMPETITION RULES: REGULATION 2349/84 (1985).

who have now become academics, lawyers or judges speak of Valentine with respect and affection.

This *Fordham International Law Journal* book is accordingly a well-deserved tribute to Valentine Korah. Naturally, most of the articles concern current issues in Community competition and intellectual property. Several have been contributed by good friends, notably her academic colleague, Professor Eleanor Fox of New York University Law School.<sup>4</sup> President Bo Vesterdorf from the Court of First Instance, long acquainted with Valentine, has submitted an excellent study of legal privilege, principally in the context of antitrust proceedings.<sup>5</sup> Most of the other authors contributing articles in the competition law field come from the Commission Legal Service or the Brussels and London bars. Each has known Valentine for years as an eminent expert in the field, but also as a warm friend and colleague.

Finally, two other distinguished authors have submitted articles with a constitutional flair: Advocate General Francis Jacobs and Sir Jeremy Lever. These are also highly appropriate, because Valentine has always followed EC constitutional issues with keen interest, although concentrating her writing on her chosen field of expertise.

These excellent articles altogether constitute a fine tribute to a highly esteemed scholar and teacher and a good friend to the Fordham University School of Law — Valentine Korah.

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4. See Eleanor M. Fox, *A Tale of Two Jurisdictions and an Orphan Case: Antitrust, Intellectual Property, and Refusals to Deal*, 28 FORDHAM INT'L L.J. 952 (2005).

5. See Bo Vesterdorf, *Legal Professional Privilege Against Self-Incrimination in EC Law: Recent Developments and Current Issues*, 28 FORDHAM INT'L L.J. 1179 (2005).

