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Goyder’s European Competition Law by Joanna Goyder and Albertina Albors-Llorens, 5th edn, (Oxford University Press, 2009)
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The EU Energy Directory by Nigel Hunt and Kim Talus (Euroconfidential, 2009)
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Lei da Concorrência – Anotada by Miguel Mendes Pereira (Almedina, Coimbra, Portugal, 2009)

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