

THEODORE BANKS PUBLICATIONS

Jan. 10, 2024

Treatises

- [Corporate Legal Compliance Handbook](#), Wolters Kluwer Law & Business, with F. Banks (editor) 2002; Second Edition 2010, Third Edition 2021, supplemented
- [Distribution Law: Antitrust Principles and Practice](#), Wolters Kluwer Law & Business, 2 vol. 1989, Second Edition 1999, Third Edition 2021, supplemented
- [Antitrust Law and Economics of Product Distribution](#), American Bar Association Section of Antitrust Law, co-editor (2016)
- [The Antitrust Compliance Handbook: A Practitioner's Guide](#), American Bar Association, co-editor (2019)

Articles & Chapters - *Antitrust and Compliance*

- *Corporate "toxicity" and officer liability: The lessons of the McDonald's case for Corporate Compliance*, **Compliance & Ethics Professional** (May 2023)
- *What is the Role of a Human Resources Department?* **Compliance & Ethics Professional**, with Sharon Ray (May 2018).
- *Antitrust Compliance*, Chapter 12 in [The Antitrust Adviser](#), Thomson Reuters (5th ed. 2019)(supplemented)
- *Onboarding as the Key to Effective Compliance*, Society of Corporate Compliance & Ethics Compliance Manual (Aug. 2016)
- [Compliance via Smartphone – Stop Fighting It!](#), Association of Corporate Counsel In-house Access Newsletter (May 2016)
- *Six Milestones That Continue to Shape Corporate Compliance*, M. Maleske (contributor), Law360 (May 2016)
- [5 Things to Think About Before You Give that Compliance Presentation](#), ABA Business Law Section Compliance Committee Newsletter (March 2016)
- *Compliance: The New International Law*, 1 **Compliance Elliance Journal** 21 (2015)
- *Why You Should Love Your Antitrust Compliance Monitor*, **Competition Policy International Antitrust Chronicle** (June 2015)
- *The Dominant CEO: Great for Business and Terrible for Compliance?* **Compliance & Ethics Professional** (March 2015)
- *The Biggest Compliance Mistake That Lawyers Make* (with Eric Hinton), In-House Access blog, Association of Corporate Counsel, April 4, 2015
- [What Really Should Be in General Counsel's Skill Set](#), **Law Technology News** (Aug. 4, 2014).
- *Is Your Antitrust Compliance Program Effective?* **ABA Antitrust Section Compliance and Ethics Spotlight** (March 2014)

- Employee Discipline and Compliance, Society of Corporate Compliance & Ethics **Compliance Manual** (Aug. 2013) (with G. Winter)
- *The International Law of Antitrust Compliance*, 40 **Denver J. Int. L. & Policy** 368 (June 2012) (with J. Murphy)
- [Best Practices for Compliance Programs: Results of an International Survey](#), with Nathalie Jalabert-Doury, **Concurrences: Revue de droits de la concurrence** (May 2012)
- [The Trouble With Antitrust Compliance and 10 Ways to Fix It](#), **Corporate Counsel** (April 30, 2012)
- *Bill Kovacic and the Global Evolution of Antitrust*, **Concurrences** (March 2012)
- [Antitrust Compliance – It's All About the Culture](#), **CPI Antitrust Chronicle** (Feb. 2012)
- *Perfect Fit?* **Law Technology News**, with Christian Liipfert (Oct. 2011)
- *Are You Ready for the Behavioral Antitrust Approach?* with U. BenOliel, 1 **Bloomberg Law Quarterly** 655 (2011)
- *Antitrust Analysis of Category Management Practices*, **Category Management Antitrust Handbook**, ABA Section of Antitrust Law (2010)
- *The Law of Antitrust Conspiracy in Trouble*, **Bloomberg Law Reports: Antitrust & Trade** (July 2010)
- *Sentencing Commission Proposals and Business Reality: Records Management Does Matter in Compliance – and Business – Risk*, **Bloomberg Law Reports: Risk & Compliance** (May 2010)
- [Why Your Company Should Embrace Social Media, Now!](#), **Law Technology News** (May 2010).
- *Are You a Competitive Wannabe? If So, the Robinson-Patman Act Probably Is Not Going to Help You*, **Bloomberg Law Reports: Antitrust & Trade** (April 2010)
- *Dominant-Firm Counseling in the Internet Era: Are You a Daredevil or a Fuddy-Duddy?* **The Antitrust Counselor** (ABA Antitrust Section March 2010)
- [Keep It Simple: Take the Perspective of Employees, Not Lawyers](#), **Law Technology News** (Feb. 2010)
- [General Counsel as CCEO? Not an Obvious Answer](#), **Compliance and Ethics Magazine** (June 2009, with Joe Murphy and Catherine Finamore Henry)
- [Compliance in Times of Crisis](#), Society of Corporate Compliance and Ethics White Paper (April 2009)
- [Compliance On-Screen](#), **Compliance and Ethics Magazine** (Oct. 2007, with G. Stavrou)
- *Recent Trends in Internal Investigations*, **ACC Docket** (April 2007, with S. Lassar and T. Giller), winner of Apex Award of Excellence for Feature Writing
- *Getting Your Client Prepared for That Deal*, 22 **The Antitrust Counselor** 3 (April 2005)

- *The Pros & Cons of Using Computer-Based Training for Antitrust Compliance*, **Antitrust Compliance: Perspectives and Resources for Corporate Counselors**, American Bar Assn. (2005)
- *On-Line Antitrust Compliance Training* (edited transcript), **The Antitrust Source** (Jan. 2004)
- *Antitrust Liability for Category Management and Other New Merchandising Techniques: Have You Updated Your Counseling?* **The Antitrust Source** 1 (March 2003)
- *Are You Still Using the "Blunderbuss" Approach to Antitrust Compliance?* ABA **Corporate Counseling Report** (Summer 2002)
- *A Robinson-Patman Case Study*, 10 **Antitrust** 11 (Summer 1996)
- On-Line Antitrust Forum Moderator, Counsel Connect (1993- 1998)
- *Using Technology to Teach Effective Antitrust Compliance*, 9 **Antitrust** 37 (Summer 1995)

**Articles &
Chapters -
Legal
Management**

- *Landing New Business: The ABCs of Making the Sale*, Center for Competitive Management Webinar (July 2009)
- *What We Wish We Could Get from a Law Firm*, **Marketing Success Stories**, American Bar Assn. (2004)
- *Work Product and Attorney Client Privilege*, with Murray Bring, in **Successful Partnering Between Inside and Outside Counsel**, West Publishing/American Corporate Counsel Association (2000)
- *BMW of North America v. Gore: More Than Just a Car Case*, BMW Car Club of America **Roundel** (June 1996)
- *Making Your Corporate Law Department 'Hot'*, 6 **Counselor's Computer & Management Report** 4 (Summer 1995)
- *Computers Can Help You Manage Outside Counsel*, 39 **Practical Lawyer** No. 6 (Sept. 1993)
- *Orienting Outside Counsel*, ABA **Counselor's Computer & Management Report** (Fall 1992)
- Editor, **Wage Assignments and Wage Deduction Orders in Illinois**, Chicago Council of Lawyers (1978)

**Articles &
Chapters –
Automation**

- *Cybersecurity for the Little Guys*, Chapter 9 in [The ABA Cybersecurity Handbook](#) (2d ed. 2018)
- [What Really Should Be in General Counsel's Skill Set](#), **Law Technology News** (Aug. 4, 2014).
- *Perfect Fit?* **Law Technology News**, with Christian Liipfert (Oct. 2011)
- [Why Your Company Should Embrace Social Media, Now!](#), **Law Technology News** (May 2010).
- [Call to Disarm](#), **Law Technology News**, with Jim Mittenthal (October 2009)
- [I Hate Technology](#), **Law Technology News** (February 2009)
- [Adventures with HDTV](#), **Law Technology News** (February 2007)
- *Are You on Top of Your Electronic Communications?* 1 **In-House Practice & Management** 8 (November 1997)

- *Computers Can Help You to Manage Outside Counsel*, 39 **Prac. Law.** 25 (Sept. 1993)
- *The Computer in the Corporate Law Department*, in **From Yellow Pads to Computer -- the Lawyer in Control**, American Bar Association (1st ed. 1987; 2d ed. 1991)
- *Time to Upgrade Your Setup?* ABA **Business Lawyer's Computer News** (Spring/Summer 1990)
- *Is PBX for You?* ABA **Corporate Dispatch** (Spring 1990)
- *Communications: The Next Step for Law Department Automation*, ABA **Business Lawyer's Computer News** (Fall 1989)
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- *Keeping Those Old PCs Alive*, ABA **Business Lawyer's Computer News** (Summer 1989)
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- *Making the Most of the Small or Solo Department*, ABA **Corporate Law Department Handbook** (1987)

**Articles &
Chapters -
International**

- *International Antitrust Law* in **The Law of Transnational Business Transactions**, West Publishing (1981; revised through 2021) [cited, *Mitsubishi Motors Corp. v. Soler Chrysler-Plymouth, Inc.*, 473 U.S. 614, 634 n.18 (1985)]
- Compliance: The New International Law, 1 *Compliance Elliance Journal* 21 (2015)
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- Book review: *EC Law After 1992: A Practical Guide for Lawyers Outside the Community*, 22 **Denver J. Int. L. & Policy** 541 (1994)
- *Task Force Report: The Antitrust Guide for International Operations Revisited*, 54 **Antitrust L.J.** 839 (1985) [editor and section author]
- *Review of Foreign Merger and Acquisition Laws*, 52 **Antitrust L.J.** 965 (1984) [editor and section author]
- *Current Developments in Foreign Antitrust*, ABA Section of Antitrust Law (March 1984)
- Editor, Chapter IX, *Trade or Commerce with Foreign Nations*, in **Antitrust Law Developments**, American Bar Association (1984)
- Book Reviews, **The International Lawyer** (1979)
- Contributing Editor, **International Court of Justice Opinion Briefs**, American Bar Association (1978).
- *GATT, Altered Economics, and DISC*, 5 **Denver J. Int. L. & Policy** 121 (1975)
- *Political Terror and International Law*, " **Revista da Faculdade de Direito** (U.F.M.G., Brasil, 1975)

- *The Difficulty of Consensus in the Middle East*, 5 **Denver J. Int. L. & Policy** 419 (1975)