

HOWARD P. MARVEL

CONTACT INFORMATION

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PERSONAL DATA

- Date of Birth: July 11, 1946
- Married, two children
- Citizenship: U.S.A.

EDUCATION

Undergraduate:

Indiana University, September 1964–June 1968

DEGREE: B.A., June 1968

MAJOR: Economics

HONORS: Phi Beta Kappa, Graduate with Distinction

Graduate:

University of Chicago

DEGREES: M.A., June 1972

Ph.D., March 1975

FIELDS: Price Theory, Industrial Organization,
Labor Economics

FELLOWSHIPS: Ford Foundation Graduate Fellowship

DISSERTATION DETERMINANTS OF THE BEHAVIOR OF RETAIL
GASOLINE PRICES: AN APPLICATION OF THE
ECONOMICS OF INFORMATION

PROFESSIONAL POSITIONS

1973–1979	Assistant Professor of Economics, The Ohio State University
1979–1983	Associate Professor of Economics, The Ohio State University
1983–2009	Professor of Economics, The Ohio State University
1976–1979	Faculty Associate, Mershon Center for Research in Public Policy
1980–1981	National Fellow, Hoover Institution on War, Revolution, and Peace, Stanford University, Stanford, California
1991	Research Fellow, Institute for Social and Economic Research Osaka University, Osaka, Japan
1992	Visiting Fellow, Centre for Socio-Legal Studies Wolfson College Oxford University, Oxford, England
1994–2009	Professor of Law, The Ohio State University
2009–	Professor Emeritus of Economics, The Ohio State University Winner of the 2000 Alumni Award for Distinguished Teaching, The Ohio State University

OTHER EXPERIENCE (CONSULTING)

U.S. Brewers Association
Battelle Laboratories
Ohio Department of Natural Resources
U.S. Federal Trade Commission
Western Electric
3M
U.S. Small Business Administration
National Regulatory Research Institute
Garrett Corporation
Cessna Corporation
General Cable Company
Penn Central Corporation
Dykema, Gossett
General Electric (Industrial Diamonds: Winston & Strawn; Arnold
& Porter; Porter, Wright, Morris & Arthur)
Olin Chemical
Trinova Corp.
Drug Emporium
Keating, Muething & Klekamp (for Pension Benefit Guaranty Corp.)
Schottenstein, Zox & Dunn
Automotive Industry Exchange Group
Dentsply, International
Bandag, Inc.
Cingular (Ameritech)
United States Tobacco
Ford Motor Company
Anheuser-Busch
G2
Masco Corporation
Alliance of Automobile Manufacturers
Eaton Corporation
ACE Insurance
Chubb Group

“The Economics of Information and Retail Gasoline Price Behavior: An Empirical Analysis,” *JOURNAL OF POLITICAL ECONOMY*, **84**, No. 4 (October 1976): 1033–60.

“Factory Regulation: A Reinterpretation of Early English Experience,” *JOURNAL OF LAW & ECONOMICS*, **20**, No. 2 (October 1977): 379–401. Summary published in the “Readings of Interest” section, *REGULATION* magazine, March/April 1979.

“Competition and Price Levels in the Retail Gasoline Market,” *REVIEW OF ECONOMICS & STATISTICS*, **60**, No. 2 (May 1978): 252–58.

“Gasoline Price Signs and Price Behavior: Comment,” *ECONOMIC INQUIRY*, **17**, No. 1 (January 1979): 146–148.

“Foreign Trade and Domestic Competition,” *ECONOMIC INQUIRY*, **18**, No. 1 (January 1980): 103–122.

“Collusion and the Pattern of Rates of Return,” *SOUTHERN ECONOMIC JOURNAL*, **47**, No. 2 (October 1980): 375–87.

“Concentration, Price, and Critical Concentration Ratios,” *REVIEW OF ECONOMICS & STATISTICS*, **63**, No. 3 (August 1981): 346–53. (with F.E. Geithman and L.W. Weiss).

“Exclusive Dealing,” *JOURNAL OF LAW & ECONOMICS*, **25**, No. 1 (April 1982): 1–26. Reprinted in Andrew I. Gavil, ed., *ANTITRUST ANTHOLOGY*. Cincinnati, Ohio: Anderson Publishing, 1996, pp: 212–216, and Benjamin Klein and Andres V. Lerner, *ECONOMICS OF ANTITRUST LAW*. Cheltenham, UK: Edward Elgar Publishing, 2008.

“An Economic Analysis of the Operation of Social Security Disability Insurance,” *JOURNAL OF HUMAN RESOURCES*, **17**, No. 3 (Summer 1982): 393–412.

“The Kennedy Round: Evidence on the Regulation of International Trade in the U.S.,” *AMERICAN ECONOMIC REVIEW*, **73**, No. 1 (March 1983): 190–197 (with E.J. Ray).

“Hybrid Trade Restraints: The Legal Limits of a Government’s Helping Hand,” *SUPREME COURT ECONOMIC REVIEW*, **2** (1983): 165–185.

“Disability Insurance and State Transfer Programs: An Empirical Analysis of Program Implementation and Substitution,” *POLICY STUDIES REVIEW*, **3**, No. 2 (February 1984): 193–206 (with M.K. Marvel).

“The Locus of Collusion in U.S. Manufacturing,” *QUARTERLY REVIEW OF ECONOMICS AND BUSINESS*, **24**, No. 4 (Winter 1984): 82–99.

“The Pattern of Protection in the Industrialized World,” *REVIEW OF ECONOMICS & STATISTICS*, **66**, No. 3 (August 1984): 352–358 (with Edward John Ray). Reprinted with a summary in *PORTFOLIO: INTERNATIONAL ECONOMIC PERSPECTIVES*, **12**, No. 2, U.S. Information Agency, 1987.

“Resale Price Maintenance and Quality Certification,” *RAND JOURNAL OF ECONOMICS*, **13**, No. 3 (Autumn 1984): 346–359 (with Stephen McCafferty).

“How Fair Is Fair Trade?” *CONTEMPORARY POLICY ISSUES*, **3**, No. 3 (Spring 1985): 23–36.

“The Welfare Effects of Resale Price Maintenance,” *JOURNAL OF LAW & ECONOMICS*, **28**, No. 2 (May 1985): 363–379 (with Stephen McCafferty).

“The Political Economy of Resale Price Maintenance,” *JOURNAL OF POLITICAL ECONOMY*, **94**, No. 5 (October 1986): 1074–1095 (with S. McCafferty).

“Intraindustry Trade: Sources and Effects on Protection,” *JOURNAL OF POLITICAL ECONOMY*, **95**, No. 6 (December 1987): 1278–1291 (with Edward John Ray).

“Price Fixing and Civil Damages: An Economic Analysis,” *STANFORD LAW REVIEW*, **40**, No. 3 (February 1988): 561–75. (with J.M. Netter and A.M. Robinson). Reprinted in *CORPORATE PRACTICE COMMENTATOR*, **30**, No. 2 (1988): 282–296. Also reprinted in *JOURNAL OF REPRINTS FOR ANTITRUST LAW AND ECONOMICS*, **26**, No. 1 (1996), 164–179.

“Concentration and Price in Gasoline Retailing,” in *CONCENTRATION AND PRICE*, edited by Leonard W. Weiss. Cambridge, Mass.: The MIT Press, 1989.

“Telecommunications and Distribution: Problems and Prospects,” in *NETWORKS AND SOCIETY*, edited by Yasuhiko Oishi and Masaaki Komai. Tokyo: Ministry of Posts and Telecommunications, University of Tokyo Press, 1991, pp. 63–88.

“Perspectives on Imperfect Competition and International Trade,” in *INDUSTRIAL ORGANIZATION AND INTERNATIONAL TRADE: METHODOLOGICAL FOUNDATIONS FOR INTERNATIONAL FOOD AND AGRICULTURAL MARKET RESEARCH*, edited by Ian M. Sheldon and Dennis R. Henderson. NC-194 Research Monograph No. 1, July 1992, pp. 5–30.

“Contracts and Control in Japanese Distribution,” *MANAGERIAL AND DECISION ECONOMICS*, **14**, No. 2 (March-April 1993): 151–162.

“The Resale Price Maintenance Controversy: Beyond the Conventional Wisdom,” *ANTITRUST LAW JOURNAL*, **63**, No. 1 (Fall 1994): 59–92.

“Tying, Franchising, and Gasoline Service Stations,” *JOURNAL OF CORPORATE FINANCE*, **2**, No. 1-2 (October 1995): 199–225.

“Demand Uncertainty and Returns Policies,” *INTERNATIONAL ECONOMIC REVIEW*, **36**, No. 3 (August 1995): 691–714 (with James Peck).

“Comparing Vertical Restraints,” *JOURNAL OF ECONOMICS AND BUSINESS*, **48**, No. 5 (December 1996): 473–486 (with Stephen McCafferty).

“Countervailing Duties,” *ECONOMIC JOURNAL*, **105**, No. 433 (November 1995): 1576–1593 (with Edward John Ray).

“Antitrust Policy and the Republican Congress: Vertical Integration and Vertical Restraints,” *ANTITRUST BULLETIN*, **41**, No. 1 (Spring 1996): 15–41.

“Demand Uncertainty, Inventories, and Resale Price Maintenance,” *QUARTERLY JOURNAL OF ECONOMICS*, **111**, No. 3 (August 1996): 885–913 (with Raymond Deneckere and James Peck).

“Demand Uncertainty and Price Maintenance: Markdowns as Destructive Competition,” *AMERICAN ECONOMIC REVIEW*, **87**, No. 4 (September 1997): 619–641 (with Raymond Deneckere and James Peck).

“Countervailing Duties,” in *THE NEW PALGRAVE DICTIONARY OF ECONOMICS AND THE LAW*, 1998 (with Edward John Ray).

“The Three Types of Collusion: Fixing Prices, Rivals and Rules,” 2000 *WISCONSIN LAW REVIEW* **2000**, No. 5 (2000), 941–1000 (with Robert H. Lande).

“Successful Monopolization Through Predation: The National Cash Register Company,” in *ANTITRUST LAW AND ECONOMICS*, edited by John B. Kirkwood, *RESEARCH IN LAW AND ECONOMICS*, **21**. Amsterdam: Elsevier, 2004, pp. 85–125 (with Ken Brevoort).

“Collusion over Rules,” *ANTITRUST*, **16**, No. 3 (Summer 2002): 36–40 (with Robert H. Lande).

“Rule Fixing: An Overlooked but General Category of Collusion.” In *POST-CHICAGO DEVELOPMENTS IN ANTITRUST LAW*. Edited by Antonio Cucinotta, Roberto Pardolesi, and Roger Van den Bergh. Northampton, Mass: Edward Elgar, 2002, pp. 193–196, (with Robert H. Lande).

“On the Economics of Branded Open Supply,” *INTERNATIONAL JOURNAL OF THE ECONOMICS OF BUSINESS*, **10**, No. 2 (July 2003), 213–23.

“The Ratio of Beef Cubes to Onion (6:1) in Hungarian Goulash and Public Sector Contracting: Market-Like or Market-Lite?” *POLICY CURRENTS*, **12**, No. 2 (Summer 2003) (with Mary K. Marvel).

“Distribution Matters,” *ANTITRUST BULLETIN*, **49**, No. 4 (Winter 2004): 955–984.

“Outsourcing Oversight: A Comparison of Monitoring for In-House and Contracted Services,” *PUBLIC ADMINISTRATION REVIEW*, **LXVII**, No. 3 (May/June 2007): 521–530 (with Mary K. Marvel).

“Inventories, Manufacturer Returns Policies, and Equilibrium Price Dispersion under Demand Uncertainty,” *JOURNAL OF ECONOMICS AND MANAGEMENT STRATEGY*, **16**, No. 4 (Winter 2007): 1031–1051 (with Hao Wang).

“Trademark Sales, Entry, and the Value of Reputation.” *INTERNATIONAL ECONOMIC REVIEW*, **49**, No. 2 (May 2008): 547–76 (with Lixin Ye).

“Inventory Turnover and Product Variety,” *JOURNAL OF LAW & ECONOMICS* **51**, No. 3 (August 2008): 461–478 (with James Peck).

“Group Purchasing, Nonlinear Tariffs, and Oligopoly,” *INTERNATIONAL JOURNAL OF INDUSTRIAL ORGANIZATION*, **26**, No. 5 (September 2008): 1090–1105 (with Huanxing Yang).

“Government-to-Government Contracting: Stewardship, Agency, and Substitution,” *INTERNATIONAL PUBLIC MANAGEMENT JOURNAL*, **11**, No. 2 (April 2008): 171–192 (with Mary K. Marvel).

“Shaping the Provision of Outsourced Public Services: Incentive Efficacy and Service Delivery,” *PUBLIC PERFORMANCE AND MANAGEMENT REVIEW*, **33**, No. 5 (December 2009): 183–213 (with Mary K. Marvel).

“Distributor Contracts to Support Optimal Inventory Holdings under Demand Uncertainty,” *INTERNATIONAL JOURNAL OF INDUSTRIAL ORGANIZATION* **27**, No. 5 (September 2009): 625–631 (with Hao Wang).

“Resale Price Maintenance and Resale Prices: Paying to Support Competition in the Market for Heavy Trucks,” *ANTITRUST BULLETIN*, **55**, No. 1 (Spring 2010): 79–99.

“When Do Consumers Search?” *JOURNAL OF INDUSTRIAL ECONOMICS*, forthcoming (with Matt Lewis).

Other Publications

Conglomerates in Economics and U.S. Law, (in English and Korean) Seoul: Korea Economic Research Institute, 1990.

APPLIED PRICE THEORY, (Software and Manuals) Macintosh version. Homewood, Illinois: Richard D. Irwin, 1991.

“Don’t Subsidize Small Oil Refiners,” *COMPETITION* **2**, No. 6 (May 1981): 89.

“Vertical Restraints in the Hearing Aids Industry,” *IMPACT EVALUATION OF THE FEDERAL TRADE COMMISSION VERTICAL RESTRAINTS CASES*, Ronald N. Lafferty, Robert H. Lande, and John B. Kirkwood, eds., Federal Trade Commission, Washington, D.C., 1984.

“Organization and Competition in Telecommunications: An Idiosyncratic View,” National Regulatory Research Institute, Occasional Paper No. 12, November 1987.

Review of REGULATORY POLICY AND THE SOCIAL SCIENCES, edited by Roger G. Noll, JOURNAL OF ECONOMIC LITERATURE, **25**, No. 2 (June 1987), 740–2.

Review of MAINSTREAMS IN INDUSTRIAL ORGANIZATION, edited by H.W. DeJong and W.G. Shepherd, JOURNAL OF ECONOMIC LITERATURE, **26**, No. 1 (March 1988): 130–1.

Review of EXCLUSIVE DEALING: A COMPREHENSIVE CASE STUDY, by Gregg Frasco. REVIEW OF INDUSTRIAL ORGANIZATION, **8**, No. 1 (February 1993): 127–130.

Transcript of speech to ABA Antitrust Section Spring Meeting, “Resale Price Maintenance Reexamined,” Verbatim Transceedings, May 1994.

Review of INTRA-INDUSTRY INTERNATIONAL TRADE, by Sayeeda S. Bano. JOURNAL OF ECONOMIC LITERATURE, **31**, No. 2 (June 1993): 900–902.

Review of MONOPSONY: ANTITRUST LAW AND ECONOMICS, by Roger D. Blair and Jeffrey L. Harrison. JOURNAL OF ECONOMIC LITERATURE, **33**, No. 3 (September 1995): 1379–81.

American Bar Association, *Antitrust Law and Economics of Product Distribution*. (February 2006) ISBN 1-59031-697-5. Wrote the section on the economics of resale price maintenance.

“Resale Price Maintenance and the Rule of Reason,” THE ANTITRUST SOURCE, American Bar Association, June 2008.

“The New (Or Is It Old?) Approach to Antitrust Regulation,” GLOBAL COMPETITION POLICY, July 2009.

“Recent Antitrust Issues in Distribution of DVDs,” American Bar Association Distribution and Franchising Committee Newsletter, http://meetings.abanet.org/webupload/commupload/AT307050/otherlinks_files/at307050_newsletter_201101.pdf (with Kivanç Kirgiz).

PROFESSIONAL ACTIVITIES

Secretary, NBER-NSF Conference on the Economics of Information, Chicago, April 1971.

Editorial Board, *MANAGERIAL AND DECISION ECONOMICS*, 1994-.

Honorary Advisory council, Marietta College Department of Economics, Management, and Accounting.

Executive Committee, Ohio Association of Economists and Political Scientists, 1983-1985.

Faculty, Fordham Competition Law Institute Refresher, July 2009, 2010.

Referee: *Journal of Political Economy*; *Journal of Law & Economics*; *Journal of Money, Credit, and Banking*; *Journal of Economics and Business*; *Review of Economics and Statistics*; *Economic Inquiry*; *Journal of Business*; *National Science Foundation, Public Finance Quarterly*, *Journal of Business and Economic Statistics*, *Quarterly Journal of Economics*, *Southern Economic Journal*, *American Economic Review*, *International Economic Review*, *Economic Journal*, *Oxford Economic Papers*, *Managerial and Decision Economics*

EDUCATIONAL ACTIVITIES

Department Faculty Search Committee, 1976-85, 1997- . Chair 1992-1993.

Director, Honors Program, Department of Economics 1977-92, 1996-2003, 2004-2007.

Department Graduate Committee, 1976-1977, 1983-85

University Advisory Committee on Academic Computing, 1977-80

College of Arts and Sciences Honors Council, 1978-90

College Computer Utilization Committee, 1977-1978

Department Tenure Committee, 1983–85, 1986–90

College of Social and Behavioral Sciences Promotion and Tenure Committee, 1986

Provost’s Promotion and Tenure Committee, 1986–1989

University Committee on Selective Excellence, 1987–1988

University Teaching Excellence Advisory Council, 1989

University Presidential Fellowship Committee, 1990

Advisory Committee, Center for Advanced Studies in Telecommunications, 1989–1992

Search Committee, University Honors Director, 1989 Arts & Sciences Honors Taskforce, 1989-1990

Search Committee, Director, National Regulatory Research Institute, 1998.

Elected representative of the college of Social and Behavioral Sciences to the Graduate Council of the Ohio State University, 1979–1983, 1997–2001.

Chair, Graduate School Curriculum Committee, 1998–99.

First Annual Honors Faculty Service Award, 1986

John Glenn Institute Oversight Committee, 2000–2003.

Arts and Sciences Honors Committee, 2001–2002, 2003–2004.

Selection Committee for University Distinguished Teaching Award, 2001-2003.

Ohio State University Academy of Teaching, 2000–.

OTHER

Multiple citations in majority and dissenting opinions in *Leegin Creative Leather Products, Inc. v. PSKS, Inc.*, 127 S. Ct. 2705 (2007).

April 8, 2011