

Law and Competition Policy

UGRA_016313

Departments	Department of International, European Union and Comparative Law
Teaching Languages	English
ECTS	3
Teacher responsible	Sébastien Alexandre Fassiaux - sébastien.fassiaux@esade.edu

Course Goals

Understand the theoretical foundations of competition and market regulation.
Analyze the role of government and regulatory agencies in maintaining market competition.
Examine case studies of competition law enforcement and market regulation.

Previous knowledge

The course is self-contained. Some basic knowledge of microeconomics would help, but willingness to learn (and to ask for help when needed) is more important.

Prerequisites

expected before entering the course.

Teaching methodology

The methodology used in class includes:
1) Lectures delivered using power-point slides, with references to textbooks and additional sources.
2) Constant, active participation from students is expected. Participation will be assessed and it is part of the grading.
3) Discussions on competition cases: students will analyze real-life competition cases, showing how students apply the knowledge acquired during the course.

Description

Course contribution to program

Competition and Market Regulation is a course that allows students to understand the rationale of policy and regulatory actions with respect to their stated goals.
Since Adam Smith's seminal work, economists and other social scientists have been thinking about the conditions needed to ensure that markets contribute to enhance the overall welfare of our societies – the "total surplus", in the language of economics.
With this course, students will become familiar with the concrete problems

and dilemmas that competition authorities and regulators face. In turn, they will also learn in which circumstances firms get real opportunities incentives to innovate and compete or, on the contrary, entry barriers, flawed regulations and abusive conduct hinder competition.

Short description

This course explores the principles, policies, and practices of competition and markets regulation. It examines how governments and regulatory bodies ensure competitive markets and protect consumers. We'll use microeconomic modelling and explore competition cases and regulatory interventions.

Bibliography

Massimo Motta, Competition Policy. Theory and Practice, Cambridge University Press (Book)

Jeffrey R Church and Roger Ware, Industrial Organization: A Strategic Approach, McGraw-Hill (Book)

Xavier Vives, Gianandrea Staffiero, Horizontal, vertical and conglomerate effects: the GE–Honeywell merger in the EU, Cambridge University Press (Book Chapter)

Activities

Presentations

Students (individually or in group) will present their analyses of some specific issues or cases, with important insights regarding competition policy and regulation.

Case study analyses

We will select some case studies that will give to each student the opportunity to apply the knowledge and techniques acquired during the course.

Content

#	Topic
1	The role of competition policy Competition and welfare, market power, oligopolistic competition
2	Strategic behaviour Barriers to entry, impacts of regulation, discussion of cases
3	Market definition and merger regulation Market definition, unilateral and coordinated effects of mergers, efficiency defense. Discussion of cases.
4	Prohibition of anti-competitive agreements and abuse of dominant position in the TFEU Role of the European and national competition authorities
5	Vertical relationships Impacts of vertical integration, transaction costs, double marginalisation, vertical restraints. Case studies.
6	Abusive conduct Predatory pricing, tying/bundling, resale price maintenance. Cases.

#	Topic
7	State Aid Rationale of State Aid regulation in the EU and elsewhere. Case studies,
8	Competition policy and regulation in practice. Competition issues in digital markets. Comparative approach EU-US.

Assessment

Tool	Assessment tool	Category	Weight %
In-class analysis and discussion of issues	Class Participation	Retake and ordinary round	20.00%
Other	Individual and group presentations	Retake and ordinary round	40.00%
Written and/or oral exams	Exam	Retake and ordinary round	40.00%

PROGRAMS

113-Law Exchange Program (Undergraduates: Law)
 113 Year 1 (Optative)

DD05-Double Degree Program (exchange) (Undergraduates: Law)
 DD05 Year 1 (Optative)

GED20-Bachelor in Law (Undergraduates: Law)
 GED20 Year 4 (Optative)