

Academic Year: (2023 / 2024)

Review date: 03-05-2023

Department assigned to the subject: Private Law Department

Coordinating teacher: ENTRENA RUIZ, DANIEL BRUNO

Type: Compulsory ECTS Credits : 4.0

Year : 1 Semester : 1

OBJECTIVES

- Own and understand knowledge that can provide a base or opportunity to be original in the development and/or application of ideas, often in a context of research.
- That students know how to apply the acquired knowledge and ability to problem-solving in new environments or little known within broad (or multidisciplinary) contexts related to their field of study.
- That students be able to integrate knowledge and deal with the complexity of formulating judgments from information that includes reflections on the social and ethical responsibilities related to the application being incomplete or limited, their knowledge and judgment.
- That students know how to communicate their findings, knowledge and latest reasons underpinning them public specialised and non-specialised in a way clear and unambiguous.
- That students have learning skills which allow them to continue studying in a way that will be largely self-directed or autonomous.
- Perceive the multidisciplinary character of the legal system and the necessary interdisciplinary vision of legal issues, especially from an international perspective.
- Integrate, manage, identify, organize and analyze legal information.
- Formulate critical judgments, rating them and communicate their findings in a clear and orderly way.
- To assess the development of the personal and collective action, identifying the rigorous and well made, as well as errors, arguing and proposing alternative solutions to improve processes and results.
- Recognise the growing importance of teamwork and demonstrate ability of initiative, creativity and sense of responsibility, maintaining interest throughout the process.
- Adaptation and integration in different working groups, maintaining fluid communications and relations, respect for ideas and solutions provided by others with attitude of cooperation and tolerance, sharing responsibilities and giving and receiving instructions.
- Develop professional work in interdisciplinary and international, acquiring the ability to integrate contributions various legal and multicultural environments different toward a common goal.
- Acquisition of adequate and proper conduct at international level, especially in the case of regulatory compliance and the management of conflicts of interest in the negotiation of contracts and their implementation, both in the phase of dispute resolution
- Ability to understand the role of counselling in a broader scope as the transnational
- Ability to apply new and multidisciplinary environments, concepts, principles, theories, and models related to globalization and internationality of Law

DESCRIPTION OF CONTENTS: PROGRAMME

1. Competition Law. Basic concepts. Historical evolution. Institutional and regulatory framework. Spanish and European Union Law. Economic foundations on markets competitive functioning.
2. Market definition: Relevant market. Market power. Undertakings.
3. Prohibited practices. Foundations of the prohibition. Restriction of competition by object and by effect.
4. Anticompetitive agreements. Horizontal agreements. Cartels. Cooperation agreements. Vertical agreements. Block exemption regulations. De minimis rule.
5. Abuse of a dominant position. Concept and assessment of a dominant position. The concept of abuse. Kinds of abuses: exploitative and exclusionary abuses.
6. Distortion of competition by unfair practices.
7. Competition Law enforcement. Institutional framework and decentralization. Public enforcement. Proceeding. Remedies and sanctions. Private enforcement. The compensation of antitrust damages.
8. Merger control. Concept of merger. National and European dimension. Assessment criteria. Proceeding
9. State aids control. Notion of State aids. Compatibility with the Internal Market. Enforcement proceeding. Public procurement and competition.

10. Competition Law, legal monopolies and regulated sectors: Public companies, exclusive rights and services of general economic interest. Essential facilities. Competition Law and Intellectual (and Industrial) Property Rights.
11. Competition Law and digital markets: The proposal for a Digital Markets Act. Network industries and electronic platforms. Assessment of potential remedies.

LEARNING ACTIVITIES AND METHODOLOGY

TRAINING ACTIVITIES

Individual work for the study of theoretical and practical materials elaborated and contributed by the teacher.
 Theoretical-practical presence classes.
 Analysis of practical assumptions.
 Tutorials.
 Group work.

TEACHING METHODOLOGIES

- Lectures in class of the teacher with support of computer and audiovisual media, in which develop the principal concepts of the subject and the bibliography is provided to complement the learning of the students.
- Critical reading of texts recommended by the subject professor: press articles, reports, manuals and/or academic articles, either for further discussion in class, either to broaden and consolidate the knowledge of the subject.
- resolution of practical cases, problems, etc. posed by the teacher individually or in group-exhibition and discussion in class or in the virtual forum of the subject, under the moderation of the professor of subjects related to the content of the subject, as well as Case studies
- Elaboration of works and reports individually or in a group

ASSESSMENT SYSTEM

The continuous evaluation (which will represent 40% of the final note) shall be carried out through the participation in class, the resolution of the cases proposed for each session and the student's work through the virtual platform. The final exam (60% of the note) will include a part with test-type questions and a practical question

Extraordinary evaluation:

In extraordinary calls, the subject will be evaluated on the basis of a final exam, made up of multiple-choice questions and a practical case. The test grade will account for 100% of the final grade.

In the event that the student has passed the continuous evaluation during the course with a grade higher than 6 out of 10, they may request that said grade be maintained. In this case, as in the ordinary evaluation, the continuous evaluation grade will compute 40% of the final grade, with the exam representing the remaining 60%.

% end-of-term-examination:	60
% of continuous assessment (assignments, laboratory, practicals...):	40

BASIC BIBLIOGRAPHY

- AAVV Derecho Europeo de la Competencia, Dir. Ruiz Peris, Tirant lo Blanch, 2017
- CAMPUZANO LAGUILLO, A.B; SANJUÁN Y MUÑOZ, E. GPS Competencia, Tirant lo Blanch, 2020
- CAMPUZANO, A.B. / PALOMAR OLMEDA, A. / CALDERÓN, C El Derecho de la Competencia, Tirant lo Blanch, 2015
- CARBAJO CASCÓN, F. / CURTO POLO, M.M. / MARTÍN ARESTI, P. / et. al Manual práctico de Derecho de la Competencia, Tirant lo Blanch, 2017
- EZRACHI, A EU Competition Law, An Analytical Guide to Leading Cases, Bloomsbury, ul. ed.
- GOYDER, J. / ALBORS LLORENS, A Goyder's EC Competition Law, - Oxford, ul. ed. .
- KORAH, V An introductory Guide to EC Competition Law, - Hart publishing, ul. ed. .
- MONTI, G EC Competition Law, Cambridge, ul. ed.
- ORTIZ BLANCO, L. / MAÍLLO GONZÁLEZ-ORÚS, J. / IBÁÑEZ COLOMO, P. / LAMADRID DE PABLO, A Manual de Derecho de la Competencia, Tecnos, 2008
- SIGNES DE MESA, J.I. / FERNÁNDEZ TORRES, I. / FUENTES NAHARRO, M., Derecho de la Competencia, Thomson Civitas, 2013

- SUFRIN, B. / JONES, A EU Competition Law: Texts, cases and materials, Oxford, ul. ed.