

Antitrust Law

Academic Year: (2023 / 2024)

Review date: 18-04-2023

Department assigned to the subject: Private Law Department

Coordinating teacher: ROBLES MARTIN-LABORDA, ANTONIO

Type: Electives ECTS Credits : 6.0

Year : Semester :

REQUIREMENTS (SUBJECTS THAT ARE ASSUMED TO BE KNOWN)

There are no specific requirements.

OBJECTIVES

The subject will enable students to acquire the following academic and professional skills and competences:

1. Critical analysis of judgements and rulings.
2. Understanding and handling of the basic legal and economic concepts on which the regulation of the subject is built.
3. Practice of legal and economic argumentation.
4. Drafting of reports, complaints and other documents addressed to the competition authorities.
5. Investigation of the economic reasons for certain legal decisions.
6. Development of critical thinking skills.
7. Solving complex legal problems.
8. Understanding of the meaning of competition law in the framework of private law and the economic constitution.
9. Understanding and critical analysis of the regulation and practice of competition authorities.

DESCRIPTION OF CONTENTS: PROGRAMME

Part One: Antitrust Law.

Lesson One: Introduction.

Lesson Two: Restrictive agreements (I): Introduction

Lesson Three: Restrictive agreements (II) Horizontal agreements.

Lesson Four: Restrictive agreements (III) Vertical agreements.

Lesson Five: Abuse of dominant position

Lesson Six: Industrial and intellectual property Disturbance of free competition by unfair acts.

Lesson Seven - Economic concentrations

Lesson Eight: Public aid.

Lesson Nine: The application of competition law.

Part Two: Unfair competition.

Lesson Ten - Introduction.

Lesson Eleven - Scope of application.

Lesson Twelve: Prohibited conduct.

Lesson Thirteen - Procedural aspects.

LEARNING ACTIVITIES AND METHODOLOGY

The aim is to train students in the subjects covered by the programme through a teaching-learning system adapted to the new requirements of the Bologna process.

In order to pass the course, students will have to acquire theoretical and practical knowledge. The practical knowledge will be obtained through the elaboration of simulated trials, critical commentary of

sentences and writing (reports, complaints, demands, etc.).

This theoretical-practical duality will allow the acquisition of general knowledge about competition law.

In addition, students' hours of study will be taken into account to calculate the ECTS credits of the course.

The course deals with a sector of the legal-marketing system of growing importance, so its mastery facilitates professional opportunities for future graduates.

ASSESSMENT SYSTEM

Overall, the assessment aims to check whether the learners have met the learning objectives. Through assessment, the learner must demonstrate that he or she possesses and understands knowledge of the discipline, is capable of making judgements, has the ability to communicate that knowledge and has acquired learning skills. In short, the aim is to achieve knowledge, professional skills or abilities and the ability to work in a team in the field of competition law.

The evaluation of the acquisition of competences will be based on:

1. The continuous evaluation of the student, taking into account the participation in class and the work and practices carried out during the course (60%).
2. A final theoretical-practical exam, in which it will be necessary to obtain at least a 4 out of 10 as a requirement to pass the course (40%).

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

BASIC BIBLIOGRAPHY

- Bellamy, Christopher Derecho de la competencia en el Mercado Común., Civitas.
- J. Faull; A. Nipkay The EU Law of Competition, OUP, .
- Korah, Valentine: An introductory guide to EC competition law and practice., ed.
- Massaguer Fuentes, José, et al (coords): Comentario a la Ley de Defensa de la Competencia., Civitas.
- Massaguer Fuentes, José: Comentario a la Ley de competencia desleal., Civitas.
- Velasco San Pedro, Luis Antonio: Derecho europeo de la competencia : (antitrust e intervenciones públicas)., ed.

BASIC ELECTRONIC RESOURCES

- CNMC . Página web de la Comisión Nacional de los Mercados y de la Competencia: <http://cnmc.es>