

Competition Policy in Practice: The Economics of EC Case Law

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The goal of this course is to familiarize students with some of the economic tools used in competition policy cases in Europe. Each session will start with a brief overview of the relevant concepts and a description of the analytical methods employed in that session, and will then focus on a major EC competition case which will be analyzed in depth. Students are supposed to read those cases and the accompanying material prior to each class.

September 12th – Article 82

Session 1: Market Definition and Dominance – *Microsoft*

- Readings:
 - Microsoft—Commission’s decision
 - Robert O’Donoghue and Jorge Padilla, *The Law and Economics of Article 82 EC*, Hart Publishing, 2006, Chapters 2 and 3.

Session 2: Excessive Prices – *Port of Helsingborg*

- Readings:
 - Port of Helsingborg—Commission’s decision
 - Robert O’Donoghue and Jorge Padilla, *The Law and Economics of Article 82 EC*, Hart Publishing, 2006, Chapter 12.

Session 3: Predation – *Wanadoo*

- Readings:
 - Wanadoo—CFI judgment
 - DG Competition, Discussion paper on the application of Article 82 of the Treaty to exclusionary abuses, 2005.

- Robert O'Donoghue and Jorge Padilla, *The Law and Economics of Article 82 EC*, Hart Publishing, 2006, Chapter 5.

Session 4: Loyalty Rebates – *Michelin II*

- Readings:
 - Michelin II—CFI judgment
 - DG Competition, Discussion paper on the application of Article 82 of the Treaty to exclusionary abuses, 2005.
 - Robert O'Donoghue and Jorge Padilla, *The Law and Economics of Article 82 EC*, Hart Publishing, 2006, Chapter 7.

Session 5: Refusal to deal –*IMS Health*

- Readings:
 - IMS Health—ECJ judgment
 - DG Competition, Discussion paper on the application of Article 82 of the Treaty to exclusionary abuses, 2005.
 - Robert O'Donoghue and Jorge Padilla, *The Law and Economics of Article 82 EC*, Hart Publishing, 2006, Chapter 8.

Session 6: Tying – *Microsoft*

- Readings:
 - Microsoft—Commission's decision
 - DG Competition, Discussion paper on the application of Article 82 of the Treaty to exclusionary abuses, 2005.
 - Robert O'Donoghue and Jorge Padilla, *The Law and Economics of Article 82 EC*, Hart Publishing, forthcoming 2006, Chapter 9.

September 13th – Agreements and Mergers

Session 7: Price fixing – *Fines*

- Readings:
 - DG Competition, - Guidelines on the application of Article 81(3) of the Treaty, 2004.

Session 8: Non-price agreements – *Efficiencies*

- Readings:
 - DG Competition, Guidelines on the method of setting fines, 2006.

Session 9: Horizontal mergers – *Airtours*

- Readings:
 - Airtours —CFI judgement
 - DG Competition, Horizontal merger guidelines, 2004.

Session 10: Vertical mergers – *Thales/Finmeccanica/AAS*

- Readings:
 - Thales/Finmeccanica/AAS—Commission's decision
 - DG Competition, Draft non-horizontal merger guidelines, 2007.