

OPTION-II



NATIONAL LAW UNIVERSITY, DELHI

LL.M in Competition Law and Market Regulation (In collaboration with Indian Institute of Corporate Affairs)*

1. First Semester 3rd Paper. Over of Competition Law and Market Regulation

The Course on Market Regulation and Competition Law has two parts. In this paper the rationale behind competition in law in general and the Competition Act 2002 will be discussed critically. First part is an overview of concept of competition law in general and fundamental knowledge of the Competition Act 2002 and sectoral market regulations in India and effect on competition.

2. Second Semester, First Course: Economics of Competition Law

This course will have four pronged approach. These are economic rationale of competition law; economics of anti-competitive agreements, economics of abuse of dominance and economics of regulation of combinations. Economics of anti-competitive agreements will have economic basis for regulating agreements; difference between economic effects of (a) Horizontal Agreements: Cartels and (b) Vertical Agreements: tie in; Exclusivity Agreements; Resale Price Maintenance (RPM): Minimum and Maximum RPM. The Economics of abuse of dominance will cover economics as a tool to determine Dominance and Abuse of Dominant Position. Economics of Relevant Market: Geographic and product dimension. Types of Abuse by a Dominant Player: Exploitative Abuses: Vertical restraints and Excessive pricing; Exclusionary Abuses- Price discrimination, discounts and predation. Economics of combinations will cover Economic Basis for Regulating Mergers, Horizontal Mergers and Vertical Mergers.

3. Second Course: Anti-Competitive Agreements: A Comparative Perspective

The second paper in second semester will be anti-competitive agreements: a comparative perspective. It will cover practices, decisions and agreements resulting into cartels. It will also cover pro-competitive and anti-competitive effects of joint ventures. It will cover vertical anti-

* Classes to be held at National Law University, Delhi

competitive agreements and developments in distribution of goods, precompetitive and anti-competitive effects of vertical agreements, exemption from anti-competitive agreements. It will have a comparative approach covering at various jurisdictions.

4. Third Course: Abuse of Dominance: Comparative Perspective

The third paper will be abuse of dominance: comparative perspective. It will cover concept of enterprise; relevant market, relevance of sector specific competitive dynamics on dominant position; dominance; Abuse of dominance; defences against abuse of dominance; the remedies in case of abuse of dominance.

4. The Fourth Course: Regulation of Combinations: Comparative Perspective

The fourth paper will be Regulation of Combinations: Comparative Perspective. Introduction to various types of restructuring: Acquisition, merger amalgamation, private equity investments. This paper will discuss the jurisprudence of horizontal, vertical and conglomerate combinations developed so far.

5. Fifth Paper: Interface of Competition Law with Other Legislations

The Fifth paper will be interface of competition law with other legislations. This will cover mainly relation of sector specific legislations and relation with competition law. It will also include interface between competition law and consumer law and IP Laws. Interface between competition law and IP will cover Introduction to Interface between Competition Law and IPRs Objective of Both Legal Regimes, Relationship between IP and Dominance, Efficiency, Network Effects

Dissertation

Students can choose any topic from competition law and market regulation. Students can take any topic of relevance to Indian jurisdiction. An inclusive list of suggestive dissertation topics will be provided to syllabus. Dissertation Guide will allotted on the basis of topic from NLUD and IICA faculty members.