

Syllabus

Name:			
EU and German Competition Law II (Abuse of a dominant position, Merger Control)			
Responsible:			
Professor Florian Bien, Chair for International Business Law, International Arbitration Law and Private Law			
Program:	Type:	Term:	ECTS:
State Examination Bachelor	Lecture	Summer	3 CP
Contents & Objectives:			
The second part of the lecture comprises abuses of a dominant position and merger control. Market power entails a special responsibility for a company. Dominant undertakings must refrain from measures which could further reduce the level of competition on a market (e.g. predatory pricing, excessive pricing or refusals to deal). Merger control aims at preventing the emergence of such a dominant position.			
Prerequisites:			
It is not required to have some basic knowledge in Competition Law.			
Course Structure:			
Week	Content		
1	Introduction		
2	Market definition		
3-4	Market power, Dominant positions and after markets		
5-6	Exploitative conduct (including secondary line price discrimination)		
7	Non-price-based exclusionary conduct (in particular doctrine of "essential facilities")		
8-10	Price-based exclusionary conduct Basics (esp. equally efficient competitor-test), specific forms of price-based exclusionary conduct such as predatory pricing, price discrimination, fidelity rebates, tying and bundling, margin-squeeze		
11-14	Merger Control Jurisdiction, Merger Control Procedure, Substantive Appraisal of Concentrations (esp. SIEC-test), Third Party Rights		
Grading:			
There will be a proctored written examination.			
Contact:			
Dr. Florian Bien, Professor (bien@jura.uni-wuerzburg.de)			