



## FICHA TÉCNICA DE LA ASIGNATURA

Datos de la asignatura	
Nombre completo	Derecho comunitario de la competencia, propiedad industrial e intelectual / EU Competition, IP and Trademark Law
Código	E000001228
Título	<a href="#">Máster Universitario en Derecho Internacional y Europeo de los Negocios (International and European Business Law)</a> , por la Universidad Pontificia Comillas
Impartido en	Máster Universitario en Derecho Internacional y Europeo de los Negocios [Primer Curso]
Créditos	3,0 ECTS
Carácter	Obligatoria

Datos del profesorado	
<b>Profesor</b>	
Nombre	Adela Gómez Alonso
Departamento / Área	Departamento de Derecho Económico y Social
Correo electrónico	agonalso@icade.comillas.edu
<b>Profesor</b>	
Nombre	Ignacio Temiño Ceniceros
Departamento / Área	Departamento de Derecho Privado
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## DATOS ESPECÍFICOS DE LA ASIGNATURA

Contextualización de la asignatura	
<b>Competencias - Objetivos</b>	
<b>Competencias</b>	
<b>GENERALES</b>	
<b>CG01</b>	Capacidad de análisis y síntesis
<b>RA1</b>	Identifica lagunas de información o falta de coherencia en la argumentación de textos escritos. Incorpora información adicional y soluciona las incoherencias
<b>RA2</b>	Diseña el tipo de proceso adecuado para alcanzar los objetivos propuestos en situaciones concretas. Diseña un proceso eficiente y adaptado a la situación concreta para la consecución de los objetivos



	<b>RA3</b>	Al expresar sus ideas y conclusiones, se apoya en datos y en la relación entre ellos. Plantea varias opciones posibles a partir de las distintas ponderaciones de los datos y sus relaciones
<b>CG03</b>	Capacidad de gestión de la información	
	<b>RA1</b>	Identifica las fuentes relevantes de información de manera prácticamente exhaustiva
	<b>RA2</b>	Ordena adecuadamente y prioriza las fuentes de información. Es capaz de descartar la información irrelevante de manera crítica
	<b>RA3</b>	Es capaz de manejar y utilizar de manera efectiva un elevado número de fuentes de información sin incurrir en contradicciones
<b>CG06</b>	Capacidad de trabajo en equipo	
	<b>RA1</b>	Colabora en la definición, organización y distribución de las tareas del grupo
	<b>RA2</b>	Realiza las tareas que le asignan dentro del grupo en los plazos solicitados
	<b>RA3</b>	Participa de forma activa en los espacios de encuentro del equipo, compartiendo información conocimientos y experiencias
	<b>RA4</b>	Se orienta a la consecución de acuerdos y objetivos comunes, comprometiéndose con ellos
	<b>RA5</b>	Toma en cuenta los puntos de vista de los demás, retroalimentándolos de forma constructiva
<b>CG07</b>	Capacidad de trabajo en un contexto internacional	
	<b>RA1</b>	Detecta los problemas derivados de las diferencias entre sistemas jurídicos
	<b>RA2</b>	Busca generar soluciones adaptables a los distintos sistemas jurídicos
	<b>RA3</b>	Entiende que el contexto jurídico y económico se inserta en relaciones transnacionales
	<b>RA4</b>	Es consciente de las resistencias o dificultades que una misma solución puede plantear en distintos contextos y busca mecanismos para minimizar estos problemas
<b>CG08</b>	Capacidad de razonamiento crítico	



	<b>RA1</b>	Fundamenta tanto los puntos fuertes como los débiles de los juicios u opiniones que emite
	<b>RA2</b>	Emite juicios en función de criterios externos (utilidad, viabilidad, validez, etc.). Selecciona con acierto el criterio externo a utilizar a la hora de argumentar un juicio
<b>CG10</b>	Capacidad de desarrollo de un aprendizaje autónomo	
	<b>RA1</b>	Adapta autónomamente las estrategias de aprendizaje en cada situación. Razona adecuadamente sobre la adecuación de sus estrategias en cada situación
	<b>RA2</b>	Es capaz de integrar paradigmas de otras disciplinas y/o campos de conocimiento próximos al suyo. Aplica y generaliza con facilidad y rapidez los conocimientos entre disciplinas
<b>CG11</b>	Motivación por la calidad	
	<b>RA1</b>	Se orienta a resultados. Revisa en función de los objetivos en qué punto se encuentra y toma decisiones ajustando su plan de acción
	<b>RA2</b>	Hace un buen uso de los recursos. Es eficiente. Revisa y compensa las ineficiencias que aprecia en sus actuaciones
<b>CG12</b>	Capacidad de aplicar los conocimientos teóricos a la práctica	
	<b>RA1</b>	Aplica en un contexto real los conocimientos de naturaleza teórico-práctica adquiridos
	<b>RA2</b>	Determina el alcance y la utilidad práctica de las nociones teóricas
	<b>RA3</b>	Adquiere otros conocimientos en el contexto real en el que son funcionales y relacionados con el ámbito profesional
	<b>RA4</b>	Identifica correctamente los conocimientos aplicables a cada situación
	<b>RA5</b>	Relaciona los conocimientos con sus distintas aplicaciones
<b>ESPECÍFICAS</b>		
<b>CE04</b>	Dominar las principales normas de derecho comunitario y de derecho internacional con relevancia para el desarrollo de negocios internacionales	
	<b>RA1</b>	Comprende el reparto de competencias entre la UE y los Estados miembros en las principales áreas de regulación de sectores especiales y conoce los principios básicos de la regulación de la actividad económica que derivan de la jurisprudencia del Tribunal de Justicia de la UE



	<b>RA2</b>	Posee un conocimiento avanzado del derecho de defensa de la competencia comunitario y entiende las limitaciones que impone para el desarrollo de actividades empresariales en el ámbito de la UE, así como la necesidad de cumplir con procedimientos de autorización previa en materia de control de concentraciones y de ayudas de Estado
<b>CE05</b>		Ser capaz de diseñar estrategias de reestructuración de grupos de sociedades y/o de las actividades intra-grupo y de mercado para maximizar las ventajas del marco legal
	<b>RA1</b>	Domina los principios fundamentales de tutela de signos distintivos e invenciones de conformidad con los tratados internacionales y normas comunitarias aplicables en los Estados miembros, y es capaz de diseñar una estrategia efectiva de tutela de los activos intangibles de las empresas que desarrollan sus actividades en el mercado interior
	<b>RA2</b>	Conoce la normativa aplicable a la contratación pública en el ámbito comunitario y los principios básicos derivados de la jurisprudencia del Tribunal de Justicia de la UE; y es capaz de determinar la obligación o no de licitación de determinados contratos conforme a la normativa comunitaria
	<b>RA3</b>	Conoce las normas tuitivas de los consumidores en el ámbito comunitario y es capaz de determinar su impacto para la estrategia comercial de la empresa
<b>CE06</b>		Identificar de manera precisa los riesgos contingentes derivados de las normas relevantes y establecer adecuadamente medidas de evitación o minimización
	<b>RA1</b>	Es capaz de valorar los riesgos de vulneración del derecho comunitario de defensa de la competencia y de determinar las posibles sanciones aplicables a las empresas infractoras, así como de asesorar sobre la conveniencia de acogerse a mecanismos de reducción o exoneración de la posible sanción
	<b>RA2</b>	Es capaz de diseñar una estrategia orientada a garantizar el cumplimiento de las obligaciones asociadas a la conclusión de un contrato público, y de cubrir en la medida de lo posible riesgos regulatorios y de ejecución de este tipo de contratos
<b>CE07</b>		Dominar las reglas reguladoras de la competencia en el mercado comunitario e internacional, incluyendo los aspectos específicos derivados de derechos exclusivos
	<b>RA1</b>	Es capaz de valorar los riesgos de vulneración del derecho comunitario de defensa de la competencia y de determinar las posibles sanciones aplicables a las empresas infractoras, así como de asesorar sobre la conveniencia de acogerse a mecanismos de reducción o exoneración de la posible sanción
		Domina los principios fundamentales de tutela de signos distintivos e invenciones



	<b>RA2</b>	de conformidad con los tratados internacionales y normas comunitarias aplicables en los Estados miembros, y es capaz de diseñar una estrategia efectiva de tutela de los activos intangibles de las empresas que desarrollan sus actividades en el mercado interior
<b>CE08</b>	Conocer en profundidad las principales normas ordenadoras de mercados regulados (como los mercados financieros, utilities o mercados de gran consumo)	
	<b>RA1</b>	Conoce las normas comunitarias reguladoras de la negociación de valores en mercados secundarios y de las operaciones sobre valores cotizados (particularmente, las ofertas públicas de adquisición u OPAS), así como los principales códigos de autorregulación en el ámbito bursátil
	<b>RA2</b>	Conoce los elementos comunes del régimen de supervisión y disciplina de entidades financieras y de crédito que desarrollen sus actividades en el mercado interior; y, en especial, los criterios aplicables a la determinación de la sujeción de estas entidades a la supervisión de las autoridades de uno o varios Estados miembros
	<b>RA3</b>	Conoce la normativa aplicable a la contratación pública en el ámbito comunitario y los principios básicos derivados de la jurisprudencia del Tribunal de Justicia de la UE; y es capaz de determinar la obligación o no de licitación de determinados contratos conforme a la normativa comunitaria
	<b>RA4</b>	Conoce los aspectos fundamentales de la regulación sectorial aplicable a los mercados de la energía y las telecomunicaciones y entiende las particularidades del régimen jurídico aplicable a estas actividades, especialmente en materia de autorización y de regulación de prestaciones y precios en estos mercados
	<b>RA5</b>	Conoce las normas tuitivas de los consumidores en el ámbito comunitario y es capaz de determinar su impacto para la estrategia comercial de la empresa
<b>CE10</b>	Ser capaz de diseñar estrategias contenciosas y procesales ante órganos jurisdiccionales nacionales, comunitarios y/o de resolución alternativa de disputas comerciales internacionales (así como su coordinación)	
	<b>RA1</b>	Conoce las posibilidades de impugnación de decisiones contrarias a las normas comunitarias aplicables a la contratación pública y a la regulación de sectores especiales, tanto frente a autoridades y tribunales nacionales, como frente a autoridades y tribunales comunitarios

## BLOQUES TEMÁTICOS Y CONTENIDOS

## BIBLIOGRAFÍA Y RECURSOS



# COMILLAS

UNIVERSIDAD PONTIFICIA

ICAI

ICADE

CIHS

**GUÍA DOCENTE  
2020 - 2021**

## METODOLOGÍA DOCENTE

**Aspectos metodológicos generales de la asignatura**

## RESUMEN HORAS DE TRABAJO DEL ALUMNO

**HORAS PRESENCIALES**

**HORAS NO PRESENCIALES**

**CRÉDITOS ECTS: 3,0 (0 horas)**

## EVALUACIÓN Y CRITERIOS DE CALIFICACIÓN

En cumplimiento de la normativa vigente en materia de **protección de datos de carácter personal**, le informamos y recordamos que puede consultar los aspectos relativos a privacidad y protección de datos que ha aceptado en su matrícula entrando en esta web y pulsando "descargar"

[https://servicios.upcomillas.es/sedelectronica/inicio.aspx?csv=02E4557CAA66F4A81663AD10CED66792](https://servicios.upcomillas.es/sedeelectronica/inicio.aspx?csv=02E4557CAA66F4A81663AD10CED66792)

## SUBJECT DETAILS

Data on the subject	
Full Name	EU Competition, EU Intellectual Property Law
Code	E000001228
Degree	Postgraduate in Master in International and European Business Law
Year	2020-21
Nature	Fall
ECTS Credits	3
Department	Law
Area	Law
Teaching staff	Adela Gómez and Ignacio Temiño Cenicerros

Data on the teaching staff	
Teacher	
Name	Adela Gómez
Department / Area	
e-mail	adela.gomez@creddia.com
Telephone	+34654681828
Tutoring Schedule	Upon request from students

Data on the teaching staff	
Teacher	
Name	Ignacio Temiño Cenicerros
Department / Area	
e-mail	<a href="mailto:ignaciot@abrilabogados.com">ignaciot@abrilabogados.com</a>
Telephone	+34 917020331
Tutoring Schedule	Upon request from students

## SPECIFIC DATA ON THE SUBJECT

<b>Framework of the subject</b>
<b>Pre-requisites</b>
None
<b>Contribution of the degree to the professional profile</b>
<p>This subject allows students to identify risks and opportunities derived from the regulatory framework that sets the rules for market competition. The study of EU Competition law complements the knowledge of other areas of Economic law and is particularly relevant in terms of corporate compliance and corporate strategy. Therefore, this subject helps develop professional skills relevant to business counsel (both external and in-house).</p> <p>Understanding of the European trademark system and general principles of Intellectual Property Law. Acquisition of practical and strategic vision of real IP conflicts and how to solve them.</p>

<b>Competences – Goals</b>
<b>Competences to be developed</b>
<b>Generic Compétences</b>
<p>GC 1: Analysis and synthesis abilities</p> <p>GC 6: Team work skills</p> <p>GC 7: Ability to work in an international context</p> <p>GC 8: Critical appraisal skills</p> <p>GC 10: Ability to develop autonomous learning skills</p> <p>GC 11: Concern for quality</p> <p>GC 12: Ability to apply theoretical knowledge into practice</p>
<b>Specific Compétences</b>
<p>SC 7 Mastering the rules governing competition in the EU and in international markets, including specific aspects related to exclusive rights</p>

## COURSE SYLLABUS AND CONTENT



<b>Content</b>
<b>Part I</b>
<b>Area 1.</b>
Theme 1. Introduction to EU Competition Law: fundamental concepts, goals and hallmarks, legal and institutional framework.
Theme 2. Agreements between competitors (Collusion)
Fundamental concepts and rationale, forms of collusion including cartels, prohibition and exemptions, consequences of the infringement and leniency policy
Theme 3. Abuse of Dominant Position (I)
Concept and prohibition, assessing abusive behaviour (dominant position and relevant markets), categories of abuse, consequences of the infringement.
Theme 4. Abuse of Dominant Position (II) & Mergers (I)
Merger control: concentration of undertakings (control and "decisive influence"), assessment and categories of mergers, consequences of the assessment.
Theme 5. Mergers (II)
Theme 6. State Aids
Concept and forms, elements of a public aid and regulation: prohibition, exemptions and competences (scenarios and decisions by European Commission)
<b>Part II</b>
<b>AREA 1. Introduction to Intellectual Property Law (I)</b>
. Introduction to Intangible rights regulation
<ol style="list-style-type: none"> <li>1. Economic justification</li> <li>2. Brief history of Intangible rights</li> <li>3. International harmonization</li> <li>4. EU Legal Framework</li> <li>5. Copyright vs Industrial Property vs Unfair competition</li> </ol>
<b>AREA 2. EU Trademark System</b>
<ol style="list-style-type: none"> <li>2.1. Trademark concept. Acquisition of the trademark right</li> <li>2.2. Categories of trademarks</li> <li>2.3. The EUIPO and National trademark registration systems</li> <li>2.4. Conditions to achieve registration: absolute and relative prohibitions</li> <li>2.5. Registration procedure before EUIPO</li> </ol>

2.6.- Content of the trademark right. Duration. Limits. Obligation of use.

2.7.- Enforcement of the trademark right.

### **AREA 3. EU DESIGN SYSTEM**

3.1. Design concept. Acquisition of the design right

3.2. Categories of designs

3.3. The EUIPO and National design registration systems

3.4. Protection for the non-registered designs

3.5. Conditions to achieve registration: novelty

3.6. Registration procedure before EUIPO

3.7.- Content of the design right. Duration. Limits. .

3.8.- Enforcement of the design right

### **AREA 4. EUROPEAN PATENT SYSTEM**

4.1. Patent concept. Acquisition of the patent right

4.2. Categories of patents. Patents vs tradeseecrets

4.3. The EPO and National patent registration systems.

4.4.- The "Unitary patent" system and the UPC

4.5. International protection. PCT and other tools

4.6. Conditions to achieve registration

4.7 Registration procedure before EPO

4.8.- Content of the patent right. Duration. Limits. .

## TEACHING METHODOLOGY

<b>General methodology of the subject</b>
<b>Contact hours methodology: Activities</b>
<p>The methodology of the course will be based on a mixture of interactive (at the classroom and on-line) lectures, and case studies</p> <p>Lectures will be dedicated to explain the main concepts and theories related to the topic of the session, whilst practical aspects will be explored by means of case studies based on legislation, case law, fiction texts, academic papers, etc.</p>
<b>Outside class methodology: Activities</b>
<p>Deep reading and comprehension of the legal texts and recommended lectures.</p> <p>Working on the individual case by not just looking at legal text and lectures at class but also making own proper research.</p> <p>With a view to having fruitful classes, students need to prepare the reading material that the professor will deliver in advance of each session</p>

## SUMMARY OF STUDENT WORK HOURS

NUMBER OF CONTACT HOURS					
Lecture	Practical class	Debate	Individual work	Work in collaboration	Evaluation
8	7		7	4	4
NUMBER OF INDEPENDENT WORK HOURS					
Lecture	Practical class	Debate	Individual work	Work in collaboration	Evaluation
9	6		10	5	15
<b>ECTS CREDITS: 3 (75,00 hours)</b>					

## GRADE EVALUATION AND CRITERIA

Evaluation Activities	Indicators	Evaluation weighting
Continuous evaluation	See simplified syllabus	40 %

Evaluation: exam (final)	See simplified syllabus	50%
Attendance	Regular attendance to classes – control by signature/virtual attendance of a daily sessions	10%

## BIBLIOGRAPHY AND RESOURCES

### Basic Bibliography and Resources

#### TEXT BOOKS

In this course there are no compulsory textbooks. The study of the relevant topics will not be based on any specific textbook, but on the lectures delivered by the professor. Therefore, it is extremely important that the students take notes during the class. The lectures will be supported by slides (PowerPoint) that are purely for guidance and in no case can replace the explanations of the professor. Consequently, the notes need to be accurate and complete.

The slides will be duly delivered by the professor and/or available on Moodle immediately after each session

#### CHAPTER OF BOOKS

EU INTELLECTUAL PROPERTY LAW

Text, cases and materials

Annette Kur and Thomas Dreier

Edward Elgar 2019

#### SUGGESTED ARTICLES

Spanish Law 17/2001 of December 7, 2001, on Trademarks

Spanish Law 3/1991 of January 10, on Unfair Competition

COUNCIL REGULATION (EC) No 2424/2015 of 16 December 2015 on the Community trade mark (codified version)

DIRECTIVE 2436/2015/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 16 December 2008 to approximate the laws of the Member States relating to trade marks (Codified version)

DIRECTIVE 2005/29/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 11 May 2005 concerning unfair business-to-consumer commercial practices in the internal market and amending Council Directive 84/450/EEC, Directives 97/7/EC, 98/27/EC and 2002/65/EC of the European Parliament and of the Council and Regulation (EC) No 2006/2004 of the European Parliament and of the Council ('Unfair Commercial Practices Directive')

#### WEBSITES

European Commission, DG COMP: [http://ec.europa.eu/competition/index\\_en.html](http://ec.europa.eu/competition/index_en.html)  
 European Competition Network: [http://ec.europa.eu/competition/ecn/index\\_en.html](http://ec.europa.eu/competition/ecn/index_en.html)  
 European Court of Justice: <http://curia.europa.eu/>  
 International Competition Network: <http://www.internationalcompetitionnetwork.org/>  
[www.oami.europa.eu](http://www.oami.europa.eu)  
[www.wipo.int](http://www.wipo.int)  
[www.oepm.es](http://www.oepm.es)  
[http://ec.europa.eu/internal\\_market/indprop/docs/tm/20110308\\_allensbach-study\\_en.pdf](http://ec.europa.eu/internal_market/indprop/docs/tm/20110308_allensbach-study_en.pdf)  
<http://curia.europa.eu/>  
[www.epo.org](http://www.epo.org)

### SUBJECT DETAILS

Data on the subject	
Name	<b>EU COMPETITION LAW, IP TRADEMARKS</b>
Degree	Postgraduate Master International European Business Law
Year	2020-21
Nature	Fall
ECTS Credits	2
Department	Law
Area	Law
Teaching staff	ADELA ALONSO

### Data on the teaching staff

Teaching staff	Prof. Adela G
e-mail	agonalso@ica
Telephone	+34 654 68 1
Office	Not applicabl
Tutoring Schedule	Upon request

### SPECIFIC DATA ON THE SUBJECT

<b>Pre-requisites</b>
None
<b>Contribution of the degree to the professional profile</b>
<p>This subject allows students to identify risks and opportunities derived from the regulatory framework that sets the rules for market competition. The study of EU Competition law complements the knowledge of other areas of Economic law and is particularly relevant in terms of corporate compliance and corporate strategy. Therefore, this subject helps develop professional skills relevant to business counsel (both external and in-house).</p>

<b>Generic Competences</b>
<b>Instrumental</b>
<p>GC 1: Analysis and synthesis abilities</p> <p>GC 6: Teamwork skills</p> <p>GC 7: Ability to work in an international context</p> <p>GC 8: Critical appraisal skills</p>

<p>GC 10: Ability to develop autonomous learning skills</p> <p>GC 11: Concern for quality</p> <p>GC 12: Ability to apply theoretical knowledge into practice</p>
<p>Specific competences of the subject</p>
<p>Conceptual (knowing)</p>
<p>SC 7 - Mastering the rules governing competition in the EU and in international markets, including specific aspects related to exclusive rights</p>

### THEMATIC AREA AND CONTENT

<p><b>Session 1</b></p>	<p>TOPICS</p> <ul style="list-style-type: none"> <li>• <b>Presentation of the subject</b> - review of Syllabus, expectations, objectives.</li> <li>• <b>Introduction to EU Competition Law</b> - fundamental concepts, goals and hallmarks, legal and institutional framework.</li> </ul> <p>ACTIVITIES IN CLASS</p> <ul style="list-style-type: none"> <li>• Lecture and class discussion on the above topics.</li> </ul> <p>REQUIRED READING</p> <ul style="list-style-type: none"> <li>• Based on pieces of legislation, case law, textbooks, academic papers, etc., required reading will be duly delivered by the professor in advance of each session.</li> </ul>
<p><b>Session 2</b></p>	<p>TOPIC – <b>Abuse of dominant position (I)</b></p> <ul style="list-style-type: none"> <li>• The prohibition, establishing dominance (relevant markets), assessing abusive behaviour (concept and categories of abuse), consequences of the infringement.</li> </ul> <p>ACTIVITIES IN CLASS</p> <ul style="list-style-type: none"> <li>• Lecture and class discussion on Abuse.</li> </ul> <p>REQUIRED READING</p>

	<ul style="list-style-type: none"> <li>Based on pieces of legislation, judgements, textbooks, academic papers, etc., required reading will be duly delivered by the professor in advance of each session.</li> </ul>
<b>Session 3</b>	<p><b>TOPIC – Abuse of dominant position (II) &amp; Restrictive agreements (I)</b></p> <ul style="list-style-type: none"> <li>Continuation of previous session on Abuse.</li> <li>Agreements: fundamental concepts and rationale, forms of restrictive agreements including cartels, prohibition and exemptions, consequences of the infringement and leniency policy.</li> </ul> <p><b>ACTIVITIES IN CLASS</b></p> <ul style="list-style-type: none"> <li>Case Study num. 1 on Abuse.</li> <li>Lecture and class discussion on the above topics.</li> <li>Organisational aspects of <b>Written Group Assignments</b>: creation of groups and allocation of topics (see “Grade Evaluation and Criteria”).</li> </ul> <p><b>REQUIRED READING</b></p> <ul style="list-style-type: none"> <li>Based on pieces of legislation, judgements, textbooks, academic papers, etc., required reading will be duly delivered by the professor in advance of each session.</li> </ul>
<b>Session 4</b>	<p><b>TOPIC – Restrictive agreements (II)</b></p> <ul style="list-style-type: none"> <li>Continuation of previous session on Agreements.</li> </ul> <p><b>ACTIVITIES IN CLASS</b></p> <ul style="list-style-type: none"> <li>Lecture and class discussion on Agreements.</li> <li>Case study num. 2 on Agreements.</li> </ul> <p><b>REQUIRED READING</b></p> <ul style="list-style-type: none"> <li>Based on pieces of legislation, judgements, textbooks, academic papers, etc., required reading will be duly delivered by the professor in advance of each session.</li> </ul>
<b>Session 5</b>	<p><b>TOPIC - Mergers (I)</b></p> <ul style="list-style-type: none"> <li>Merger control: fundamental concepts (control and “decisive influence”), categories of mergers and assessment, consequences of the assessment.</li> </ul> <p><b>ACTIVITIES IN CLASS</b></p> <ul style="list-style-type: none"> <li>Lecture and class discussion on Mergers.</li> <li>Organisational aspects of <b>Group Presentations</b>: creation of groups and allocation of topics (see Session 8).</li> </ul> <p><b>REQUIRED READING</b></p> <ul style="list-style-type: none"> <li>Based on pieces of legislation, judgements, textbooks, academic papers, etc., required reading will be duly delivered by the professor in advance of each session.</li> </ul>



<p><b>Session 6</b></p>	<p><b>TOPIC - Mergers (II) &amp; State aids</b></p> <ul style="list-style-type: none"> <li>• Continuation of previous session on Mergers.</li> <li>• State aids: concept and forms, elements of a public aid and regulation: prohibition, exemptions and competences (scenarios and decisions by the European Commission).</li> </ul> <p><b>ACTIVITIES IN CLASS</b></p> <ul style="list-style-type: none"> <li>• Case study num. 3 on Mergers.</li> <li>• Lecture and class discussion on State aids.</li> </ul> <p><b>REQUIRED READING</b></p> <ul style="list-style-type: none"> <li>• Based on pieces of legislation, judgements, textbooks, academic papers, etc., required reading will be duly delivered by the professor in advance of each session.</li> </ul>
<p><b>Session 7</b></p>	<p><b>FINAL EXAM</b></p> <ul style="list-style-type: none"> <li>• The Final Exam will be taken in session 7 and represents 50% of the final grade of the course.</li> <li>• It is an online exam (Moodle) that includes the content delivered in all previous sessions (1-6) and consists in multiple-choice and true-false questions. Wrong answers are not penalized.</li> <li>• Following the Exam, the professor will go through the correct answers of the test.</li> </ul>
<p><b>Session 8</b></p>	<p><b>GROUP PRESENTATIONS</b></p> <ul style="list-style-type: none"> <li>• Each student must participate in a Group Presentation that will be delivered in class in session 8 and represents 25% of the final grade of the course.</li> <li>• Group presentations tackle major Competition topics and are based on legislation, case law and/or decisions and documents produced by relevant stakeholders.</li> <li>• The groups will be created in session 5 and the relevant topics will be allocated also in this session. Precise instructions on timing, content and format will be duly conveyed to the students via Moodle.</li> <li>• The grading of the Group Presentations will assess both content (accurate and complete research, sound and well-structured analysis) and communication skills (verbal fluency, eloquence, body language). The content provided by the students will be assessed equally for all group members, but the assessment of communication skills will be based on the personal performance of each student. Therefore, the final grade obtained by the members of a group may vary among them.</li> <li>• As a “bimodalidad format” will be implemented this semester, the delivery of the Presentations in class will be staggered. Therefore: 1). group A Students will enter the room in the first place, will deliver their presentations and then will leave; 2). once the class is empty, group B Students will enter to deliver theirs. Organisational details will be duly conveyed by the professor.</li> </ul>

<b>Classroom code</b>	Students must use their laptops for class-related purposes only.
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### TEACHING METHODOLOGY

General methodological aspects of the subject
Contact hours methodology: Activities
<ul style="list-style-type: none"> <li>The methodology of the course will be based on a combination of interactive lectures, analysis/discussion of case studies and group presentations by the students.</li> <li>Lectures will be dedicated to explaining the main concepts and theories related to the topic of the session, whilst practical aspects will be explored by means of case studies based on legislation, case law, fiction texts, academic papers, etc. Group presentations will allow to combine individual and teamwork, as well as develop research, analytical and communication skills.</li> </ul>
Independent study methodology: Activities
<ul style="list-style-type: none"> <li>With a view to having fruitful classes, students need to prepare the reading material that the professor will deliver in advance of each session.</li> <li>The Continuous Evaluation activities and, primarily, the preparation of the Final Exam, as well as night readings, will involve an important workload in terms of independent study (see "Grade Evaluation and Criteria").</li> </ul>

SUMMARY OF STUDENT WORK HOURS	
Activity	Number of class hours
Lecture	5
Practical class	5
Class discussion	4

Work in collaboration	3
Final Exam	3
Other individual work	
ECTS Credits:	20

## **GRADE EVALUATION AND CRITERIA**

The grade distribution of the course is as follows:

- Final Exam = 50% of the final grade of the course
- Continuous Evaluation = 40% of the final grade of the course
- Attendance = 10% of the final grade of the course

### FINAL EXAM

- The Final Exam will be taken in session 7 and represents 50% of the final grade of the course.
- It is an online exam (Moodle) that includes the content delivered in all previous sessions (1-6) and consists in multiple-choice and true-false questions. Wrong answers are not penalized.
- Following the Exam, the professor will go through the correct answers of the test.

### CONTINUOUS EVALUATION

The Continuous Evaluation is based on two elements: Group Presentation and Written Group Assignment.

#### **I. Group Presentation**

- Each student must participate in a Group Presentation that will be delivered in class in session 8 and represents 25% of the final grade of the course.
- Group presentations tackle major Competition topics and are based on legislation, case law and/or decisions and documents produced by relevant stakeholders.
- The groups will be created in session 5 and the relevant topics will be allocated also in this session. Precise instructions on timing, content and format will be duly conveyed to the students via Moodle.
- The grading of the Group Presentations will assess both content (accurate and complete research, sound and well-structured analysis) and communication skills (verbal fluency, eloquence, body language). The content provided by the students will be equally graded for all group members, but the assessment of communication skills will be based on the personal

performance of each student. Therefore, the final grade obtained by the members of a group may vary among them.

- As a “bimodalidad format” will be implemented this semester, the delivery of the Presentations in class will be staggered. Therefore: 1). group A Students will enter the room in the first place, will deliver their presentations and then will leave; 2). once the class is empty, group B Students will enter to deliver theirs. Organisational details will be duly conveyed by the professor.

## II. Written Group Assignment

- The students must produce a Written Group Assignment that will be submitted by university email to their professor in session 5. It accounts for 15% of the final grade of the course.
- This Assignment will consist in the preparation of a fiction case study on a major domain of EU Competition Law: Abuse of dominant position.
- The above work will be based on the contents delivered in class and may take as a reference real cases dealt with by the European Commission in Brussels.
- The groups will be created in session 3 and the specific topics will be allocated also in this session. Precise instructions on timing, content and format will be conveyed to the students in due course via Moodle.
- The grade of the Assignment will be the same for all group members.

### ATTENDANCE

- Attendance is mandatory and represents 10% of the final grade of the course.
- I refer to the MIEBL policy on student attendance and lateness.

Evaluation Activities	Competences
Final Exam	<p>GC Analysis and synthesis abilities.</p> <p>GC 7: Ability to work in an international context.</p> <p>GC 8: Critical appraisal skills.</p>

	<p>GC Ability develop autonomo learning skills.</p> <p>SC 7 Mastering the ru governing competitio in the EU.</p>
<p>Group Presentation</p>	<p>GC Analysis synthesis abilities.</p> <p>GC Teamwork skills.</p> <p>GC 7: Ab to work in internation context.</p> <p>GC 8: Crit appraisal skills.</p> <p>GC Ability develop autonomo learning skills.</p> <p>GC Ability apply theoretica knowledge into practi</p> <p>SC 7 Mastering the ru governing competitio in the EU.</p>

<p style="text-align: center;">Written Group Assignment</p>	<p>GC Analysis &amp; synthesis abilities.</p> <p>GC Teamwork skills.</p> <p>GC 7: Ability to work in international context.</p> <p>GC 8: Critical appraisal skills.</p> <p>GC Ability to develop autonomous learning skills.</p> <p>GC Ability to apply theoretical knowledge into practice.</p> <p>SC 7 Mastering the rules governing competition in the EU.</p>
<p style="text-align: center;">Attendance</p>	

## BIBLIOGRAPHY AND RESOURCES

Basic materials
Lectures delivered by the professor + Slides (PowerPoint)
<ul style="list-style-type: none"><li>• In this course there are no compulsory textbooks. The study of the relevant topics will not be based on any specific textbook, but on the lectures delivered by the professor. Therefore, it is extremely important that the students take notes during the class. The lectures will be supported by slides (PowerPoint) that are purely for guidance and in no case can replace the explanations of the professor. Consequently, the notes need to be accurate and complete.</li><li>• The slides will be delivered by the professor via Moodle after each session.</li></ul>
Websites
<ul style="list-style-type: none"><li>• European Commission, DG COMP: <a href="http://ec.europa.eu/competition/index_en.html">http://ec.europa.eu/competition/index_en.html</a></li><li>• European Competition Network: <a href="http://ec.europa.eu/competition/ecn/index_en.html">http://ec.europa.eu/competition/ecn/index_en.html</a></li><li>• European Court of Justice: <a href="http://curia.europa.eu/">http://curia.europa.eu/</a></li><li>• International Competition Network: <a href="http://www.internationalcompetitionnetwork.org/">http://www.internationalcompetitionnetwork.org/</a></li></ul>
Reference books
Recommended reference books (non-compulsory): <ul style="list-style-type: none"><li>• Jones A. and Sufrin B., <i>EU Competition Law: Text, Cases and Materials</i>, 6<sup>th</sup> ed. (Oxford University Press, 2016).</li><li>• Bellamy &amp; Child, <i>European Union Law of Competition</i>, 8<sup>th</sup> ed. (Oxford University Press, 2018).</li></ul>
Other material
Other materials will be delivered by the professor in due course via Moodle.