

SUBJECT DETAILS

Data on the subject	
Name	EU COMPETITION LAW, IP AND TRADEMARK
Degree	Postgraduate in Master in International and European Business Law
Year	2021-22
Nature	Fall
ECTS Credits	2
Department	Law
Area	Law
Teaching staff	ADELA GÓMEZ ALONSO

Data on the teaching staff	
Teaching staff	Prof. Adela Gómez Alonso
e-mail	agonalso@icade.comillas.edu
Telephone	+34 654 68 18 28
Office	Not applicable
Tutoring Schedule	Upon request from students

SPECIFIC DATA ON THE SUBJECT

Pre-requisites
None
Contribution of the degree to the professional profile
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).

Generic Competences
Instrumental
<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>
Specific competences of the subject
Conceptual (knowing)
<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

Session 1	<p>TOPICS</p> <ul style="list-style-type: none"> • Presentation of the subject - review of Syllabus, expectations, objectives. • Introduction to EU Competition Law - fundamental concepts, goals and hallmarks, legal and institutional framework. <p>ACTIVITIES IN CLASS</p> <ul style="list-style-type: none"> • Lecture and class discussion on the above topics. <p>REQUIRED READING</p> <ul style="list-style-type: none"> • 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.
Session 2	<p>TOPIC – Abuse of dominant position (I)</p> <ul style="list-style-type: none"> • The prohibition, establishing dominance (relevant markets), assessing abusive behaviour (concept and categories of abuse), consequences of the infringement.

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

	<p>ACTIVITIES IN CLASS</p> <ul style="list-style-type: none"> • Lecture and class discussion on Mergers. • Organisational aspects of Group Presentations: creation of groups and allocation of topics (see Session 8). <p>REQUIRED READING</p> <ul style="list-style-type: none"> • Based on pieces of legislation, judgements, textbooks, academic papers, etc., required reading will be duly delivered by the professor in advance of each session.
<p>Session 6</p>	<p>TOPIC - Mergers (II) & State aids</p> <ul style="list-style-type: none"> • Continuation of previous session on Mergers. • State aids: concept and forms, elements of a public aid and regulation: prohibition, exemptions and competences (scenarios and decisions by the European Commission). <p>ACTIVITIES IN CLASS</p> <ul style="list-style-type: none"> • Case study num. 3 on Mergers. • Lecture and class discussion on State aids. <p>REQUIRED READING</p> <ul style="list-style-type: none"> • Based on pieces of legislation, judgements, textbooks, academic papers, etc., required reading will be duly delivered by the professor in advance of each session.
<p>Session 7</p>	<p>FINAL EXAM</p> <ul style="list-style-type: none"> • 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) and 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.
<p>Session 8</p>	<p>GROUP PRESENTATIONS</p> <ul style="list-style-type: none"> • 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.

	<ul style="list-style-type: none"> • 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 assessed equally for all group members, but the assessment of communication skills may be based on the personal performance of each student. Therefore, the final grade obtained by the members of a group might 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.
Classroom code	Students must use their laptops for class-related purposes only.

TEACHING METHODOLOGY

General methodological aspects of the subject
Contact hours methodology: Activities
<ul style="list-style-type: none"> • 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. • 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.
Independent study methodology: Activities
<ul style="list-style-type: none"> • With a view to having fruitful classes, students need to prepare the reading material that the professor will deliver in advance of each session. • 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”).

SUMMARY OF STUDENT WORK HOURS			
Activity	Number of class hours	Number of independent study hours	Total number of hours
Lecture	5		5
Practical class	5		5
Class discussion	4		4
Work in collaboration	3	10	13
Final Exam	3	15	18
Other individual work		5	5
ECTS Credits:	20	30	50

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 may be based on the personal performance of each student. Therefore, the final grade obtained by the members of a group might 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 (agalonso@icade.comillas.edu) 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	Indicators	Evaluation Weighting
Final Exam	GC 1: Analysis and synthesis abilities. GC 7: Ability to work in an international context. GC 8: Critical appraisal skills. GC 10: Ability to develop autonomous learning skills. SC 7 - Mastering the rules governing competition in the EU.	Preparation, online resolution and online submission.	50%
Group Presentation	GC 1: Analysis and synthesis abilities. GC 6: Teamwork skills. GC 7: Ability to work in an international context. GC 8: Critical appraisal skills. GC 10: Ability to develop autonomous learning skills. GC 12: Ability to apply theoretical knowledge into practice. SC 7 - Mastering the rules governing competition in the EU.	Preparation and staggered delivery/discussion in class.	25%

Written Group Assignment	GC 1: Analysis and synthesis abilities. GC 6: Teamwork skills. GC 7: Ability to work in an international context. GC 8: Critical appraisal skills. GC 10: Ability to develop autonomous learning skills. GC 12: Ability to apply theoretical knowledge into practice. SC 7 - Mastering the rules governing competition in the EU.	Preparation and email submission.	15%
Attendance			10%

BIBLIOGRAPHY AND RESOURCES

Basic materials

Lectures delivered by the professor + Slides (PowerPoint)

- 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 delivered by the professor via Moodle in due course.

Websites

- European Commission, DG COMP: http://ec.europa.eu/competition/index_en.html
- European Competition Network: http://ec.europa.eu/competition/ecn/index_en.html
- European Court of Justice: <http://curia.europa.eu/>
- International Competition Network: <http://www.internationalcompetitionnetwork.org/>

Reference books

Recommended reference books (non-compulsory):

- Jones A. and Sufrin B., *EU Competition Law: Text, Cases and Materials*, 6th ed. (Oxford University Press, 2016) or newer.
- Bellamy & Child, *European Union Law of Competition*, 8th ed. (Oxford University Press, 2018) or newer.

Other material

Other materials will be delivered by the professor in due course via Moodle.



PROFESSOR BIO

ADELA GÓMEZ ALONSO

E-mail: agalonso@icade.comillas.edu

Lawyer with broad experience in Competition Law, European Union and Market Regulation – Former official of the European Commission (Brussels).

Adela Gómez Alonso holds a BS Degree in Law from the University of Valladolid (Spain) and a Master's Degree in EU Law from the College of Europe, Bruges (Belgium).

Since 2019 she is an Associate Professor at ICADE University, where she teaches EU Competition Law and Industrial/Intellectual Property Law (Bachelor in Law and Master in International and European Business Law). Furthermore, since 2017 she is an Associate Professor at IE Business School (Madrid), where she teaches Business Law (Bachelor in Business Administration / International Relations). Ms Gómez Alonso was also a Visiting Professor at University San Pablo CEU (Madrid), where she taught EU Regulation of Strategic Economic Sectors for 7 years (Bachelor in Law with a specialization in EU and International Law).

Prof. Gómez Alonso commenced her professional career in Brussels, dealing with public affairs before the EU Institutions. She has worked for the Spanish Telecoms Regulator (Deputy Director for Regulation and Competition, Head of Cabinet of the General Secretary), the European Commission (Competition Law - M&A, External Trade - Antidumping, External Relations) and the London-based international law firm Bird & Bird (Head of the Telecoms Practice and Off Counsel for Competition in the Madrid Office).

Prof. Gómez Alonso is currently based in Madrid and works as a consultant specializing in Regulatory Issues and EU Affairs.

