



COURSE MANUAL

**Name of the Elective Course:
EU Competition Law**

Course Code:

**Name of the responsible Faculty Instructor:
Kolawole Afuwape**

**FALL 2025
(AY2025-26)**

This document is prepared by the course instructor and contains basic information relevant to the execution of the course. It is the official record for all intends and purposes as far the elective course, _____*EU Competition Law*_____, is concerned.

This course manual can be used as a general guide to the subject. However, the instructor can modify, extend or supplement the course (without tampering its basic framework and objectives) for the effective and efficient delivery of the course. The instructor will provide students with reasons for such changes.

Part I

Course Title: **EU Competition Law**

Course Code:

Course Duration: **One Semester (14 Weeks)**

No. of Credit Units: **_4_ Credits**

Level: **UG**

Medium of Instruction: **English**

Pre-requisites (if applicable):

Equivalent Courses: N/A

Part II

1. Acknowledgement of Course Ideators

2. Course Description

European Union Competition Law is a core module that introduces students to the legal and economic principles applied to the competition space within the internal market of the European Union. It will explore the ways that EU law regulates how businesses conduct themselves in the market and how it seeks to enhance competition, achieve consumer welfare, and improve economic integration across its member states.

Students will receive an overview of the substantive rules in the Treaty on the Functioning of the European Union (TFEU) by examining:

- Article 101 TFEU - prohibiting anti-competitive agreements/cartels,
- Article 102 TFEU - highlighting abuse of a dominant market position,
- EU Merger Regulation - covering concentrations and mergers control,
- State Aid rules - regulating public subsidy distortions to competition.

The course will address important case law from the European Commission, the General Court and Court of Justice of the European Union (CJEU). It will also incorporate economic reasoning and policy discussions around new topics such as digitalized markets, the dominance of platforms and sustainability.

Students will gain experience reading and interpreting legal text, applying competition rules to real-life situations, critically assessing the effectiveness and fairness of EU competition enforcement, along with using a variety of teaching techniques such as lectures, discussions of cases and practical exercises.

Its aims will provide students with a good foundation for embarking on a career in legal practice, regulatory agencies or within policy institutions.

3. Course Aims

The aim of the course is to give students basic insight into the various areas of Competition Law, and the practical application of the law for day-to-day purposes. The course will mainly focus on EU Law but will also give a contextual framework that might be helpful for understanding competition laws of other jurisdictions. The course will consider the main areas of competition

law: cartels, mergers, anti-trust (also known as the abuse of a dominant position, and other anti-competitive agreements) and State intervention (which includes State Aids and other interventions by public authorities which might distort competition). On each of the areas of competition law, the course will explore firstly the legal substantive provisions and the legal interpretation to find out what practices are legal, and which ones are prohibited. The enforcement mechanisms for the legal provisions will also be discussed, to get a finer-grained picture of "who does what" (i.e. which authorities are competent to enforce the various elements of competition law, and what investigative and sanctioning powers they have). We will also unfold the "life of a case", to engage the students with how to use the law in practice and how competition authorities apply procedures. One of the aspirations of the course is to help students become accustomed to using EU legal sources in a direct manner, and to teach them how to locate key pieces of information within formal legal documents. Class participation will be factored into the final evaluation.

4. Teaching Methodology

The teaching methodology for European Union (EU) Competition Law typically adopts a blended, practice-oriented, and analytical approach, combining doctrinal instruction with case-based learning and policy critique. The course methodology can be outlined as follows: **1. Doctrinal and Conceptual Foundations**

- **Lectures and readings** introduce core legal principles, including:
 - Article 101 TFEU (anti-competitive agreements),
 - Article 102 TFEU (abuse of dominant position),
 - Merger Regulation,
 - State aid rules.
- Emphasis is placed on **understanding the legal texts, institutional frameworks**, and the **objectives** of EU competition law (e.g. consumer welfare, market integration).

Case-Based Learning

- **Landmark cases** from the European Commission, General Court, and Court of Justice of the EU (e.g. *Continental Can*, *Microsoft*, *Intel*) are used to:
 - Illustrate the application of legal principles.
 - Develop **analytical and reasoning skills**.
 - Encourage discussion of **judicial interpretation and precedent**.

Problem-Solving and Hypotheticals

- Students engage in **practical exercises**, applying competition law to:
 - Hypothetical mergers,
 - Cartel investigations,
 - Abuse scenarios (e.g. predatory pricing or tying).
- This fosters **legal reasoning and application skills**, mimicking real-world legal practice.

Policy and Economic Integration

- Incorporation of **economic concepts** (market definition, market power, efficiencies) to deepen understanding.
- Critical evaluation of the **economic and policy rationale** behind competition enforcement.

Interactive Discussions and Seminars

- **Small-group seminars** or tutorials provide space for deeper engagement, allowing students to debate:
 - The goals of EU competition law,
 - The role of innovation, fairness, and digital markets,
 - The impact of globalization and digitalization.

Assessment Methods

- May include:
 - **Written assignments or essays,**
 - **Case commentaries,**
 - **In-class presentations,**

Final exams featuring problem questions and critical analysis.

5. Intended Learning Outcomes

Course Intended Learning Outcomes	Weightage in %	Teaching and Learning Activities	Assessment Tasks/ Activities
Identifies the applicable knowledge of Economic Theory, particularly in the areas of microeconomics, industrial economics, information economics, game theory and strategic behavior.		Involving students in applying basic ideas from economic theory (microeconomics, industrial organization, information economics, game theory, and strategic behavior) through problem-solving, analysis and case studies in actual market contexts to deepen their understanding of competition and strategy.	The assessment tasks/activities will include problem sets, case study analysis, written assessments, and quizzes/exams to assess students' understanding of how to apply economic skills—theoretical or other—as found in introductory and intermediate microeconomics, game theory, and industrial economics, to real-world (real) business competitive and strategic contexts.
Describes the theory and models of regulation, and particularly the basic regulatory framework of the main industrial sectors.		The intended teaching and learning activity culminate the ability to help learners appreciate and understand regulation, by moving them through the lecture, dialog and case discovery of the theories and models of regulation, principally by examining the basic regulatory regimes which frame, specifically, the regulation of key industries (e.g. energy, telecommunications, transport, and finance).	The assessment tasks/activities may take the form of written essays, case studies and exams that require students to analyze regulatory theories and apply specific regulatory frameworks from specific sectors to actual or hypothetical industry contexts.
Apply the concepts of economic theory and methodological tools, such as game theory, in		The intended teaching and learning activity, therefore, is to use interactive lectures, simulations, and problem-	The assessment tasks/activities would comprise of analytical essays, problem sets, policy briefs, and

Course Intended Learning Outcomes	Weightage in %	Teaching and Learning Activities	Assessment Tasks/ Activities
discussions and evaluations of competition policies and of market regulation.		based discussions that take on board both economic theories, as well as methodological tools (such as game theory), to assess and critically evaluate competition policies and market regulation strategies.	exams that require students to use economic concepts and game-theoretical tools to assess and critique actual competition policies and regulatory measures.

6. Grading of Student Achievement

To pass this course, students shall obtain a minimum of 40% in the cumulative aspects of coursework, i.e., internal assessments (including moot court, mid-term exam, presentations, research paper) and the end term examination. Internal assessments shall carry a total of 70 marks. **End of semester exams shall carry 30 marks out of which students have to obtain a minimum of 30% marks to fulfil the requirement of passing the course.**

The details of the grades as well as the criteria for awarding such grades are provided below:

PERCENTAGE OF MARKS	GRADE	GRADE VALUE	GRADE DESCRIPTION
80 and above	O	8	Outstanding – Exceptional knowledge of the subject matter, thorough understanding of issues; ability to synthesize ideas, rules and principles and extraordinary critical and analytical ability
75 – 79	A+	7.5	Excellent - Sound knowledge of the subject matter, thorough understanding of issues; ability to synthesize ideas, rules and principles and critical and analytical ability
70 – 74	A	7	Very Good - Sound knowledge of the subject matter, excellent organizational

PERCENTAGE OF MARKS	GRADE	GRADE VALUE	GRADE DESCRIPTION
			capacity, ability to synthesize ideas, rules and principles, critically analyze existing materials and originality in thinking and presentation
65 – 69	A-	6	Good - Good understanding of the subject matter, ability to identify issues and provide balanced solutions to problems and good critical and analytical skills
60 – 64	B+	5	Fair – Average understanding of the subject matter, limited ability to identify issues and provide solutions to problems and reasonable critical and analytical skills
55 – 59	B	4	Acceptable - Adequate knowledge of the subject matter to go to the next level of study and reasonable critical and analytical skills.
50 – 54	B-	3	Marginal - Limited knowledge of the subject matter and irrelevant use of materials and, poor critical and analytical skills
45 – 49	P1	2	Pass 1 – Pass with basic understanding of the subject matter
40 – 44	P2	1	Pass 2 – Pass with rudimentary understanding of the subject matter
Below 40	F	0	Fail - Poor comprehension of the subject matter; poor critical and analytical skills and marginal use of the relevant materials. Will require repeating the course
Incomplete	I	0	Incomplete - “Extenuating circumstances” preventing the student from taking the end-semester, or re-sit, examination as the case may be the Vice Dean (Examinations) at their discretion assign the “I” grade. If an "I" grade is assigned, the student would appear for the end semester, or re-sit examination as and

PERCENTAGE OF MARKS	GRADE	GRADE VALUE	GRADE DESCRIPTION
			when the subsequent opportunity is provided by the University.

7. Criteria for Student Assessments

Assessment of the participants will be based on the following criteria.

Assessment	Weightage	Remarks
Type of Assessment	Marks	Case Study Analysis – Students analyze landmark EU competition law cases (e.g., <i>Google Shopping</i> , <i>Intel</i> , <i>Microsoft</i>) to assess the application of Articles 101 and 102 TFEU.
Type of Assessment	Marks	Legal Essay or Policy Brief – A written assignment critically evaluating a current issue in EU competition law, such as the impact of the Digital Markets Act (DMA) or merger control in the digital economy.
Type of Assessment	Marks	Oral Presentation – Students deliver a structured presentation on a specific topic or case in EU competition law, demonstrating their ability to analyze legal issues, articulate arguments, and engage with peer and instructor feedback.
End Semester Examination (Compulsory)	30 Marks	There will be a compulsory end-semester examination/component for all participants of the course who have successfully met the requisite attendance as per the governing JGU policies.

Part III

Course/Class Policies

Cell Phones, Laptops and Similar Gadgets

Academic Integrity and Plagiarism

Learning and knowledge production of any kind is a collaborative process. Collaboration demands an ethical responsibility to acknowledge who we have learnt from, what we have learned, and how reading and learning from others have helped us shape our own ideas. Even our own ideas demand an acknowledgement of the sources and processes through which those ideas have emerged. Thus, all ideas must be supported by citations. All ideas borrowed from articles, books, journals, magazines, case laws, statutes, photographs, films, paintings, etc., in print or online must be credited with the original source. If the source of inspiration of your idea is a friend, a casual chat, something that you overheard, or heard being discussed at a conference or in class, even they must be duly credited. If you paraphrase or directly quote from a web source in the examination, presentation or essays, the source must be acknowledged. The university has a framework to deal with cases of plagiarism. All forms of plagiarism will be taken seriously by the University and prescribed sanctions will be imposed on those who commit plagiarism.

Disability Support and Accommodation Requirements

JGU endeavours to make all its courses inclusive and accessible to students with different abilities. In accordance with the Rights of Persons with Disabilities Act (2016), the JGU Disability Support Committee (DSC) has identified conditions that could hinder a student's overall well-being. These include physical and mobility related difficulties, visual and hearing impairment, mental health conditions and intellectual/learning difficulties e.g., dyslexia, dyscalculia. Students with any known disability needing academic and other support are required to register with the Disability Support Committee (DSC) by following the procedure specified at <https://jgu.edu.in/disability-support-committee/>

Students who need support may register before the deadline for registration ends, as communicated by the DSC via email each semester. Those students who wish to continue receiving support from the previous semester must re-register every semester prior to the deadline for re-registration as communicated by the DSC via email. Last-minute registrations and support are discouraged and might not be possible as sufficient time is required to make the arrangements for support.

The DSC maintains strict confidentiality about the identity of the students and the nature of their disability and the same is requested by faculty members and staff as well. The DSC takes a strong stance against in-class and out-of-class references made about a student's disability without their consent and disrespectful comments referring to a student's disability. With due respect for confidentiality, faculty and students are encouraged to have honest conversations about the needs of students with disabilities and to discuss how a course may be better tailored to cater to a student with disability.

All general queries are to be addressed to disabilitysupportcommittee@jgu.edu.in

Safe Space Pledge

This course may discuss a range of issues and events that might result in distress for some students. Discussions in the course might also provoke strong emotional responses. To make sure that all students collectively benefit from the course, and do not feel disturbed due to either the content of the course or the conduct of the discussions. Therefore, it is incumbent upon all within the classroom to pledge to maintain respect towards our peers. This does not mean that you need to feel restrained about what you feel and what you want to say. Conversely, this is about creating a safe space where everyone can speak and learn without inhibitions and fear. This responsibility lies not only with students, but also with the instructor.

P.S. The course instructor, as part of introducing the course manual, will discuss the scope of the Safe Space Pledge with the class.

Part IV

Keywords Syllabus

- Article 101 TFEU
- Article 102 TFEU
- EU Merger Regulation
- State Aid
- Abuse of Dominance
- Anti-competitive Agreements
- Cartels
- Market Power
- Relevant Market
- Exemptions (Article 101(3))

Institutions and Procedures:

- European Commission (DG COMP)
- Court of Justice of the European Union (CJEU)
- General Court
- National Competition Authorities (NCAs)
- European Competition Network (ECN)

Economic and Legal Tools:

- Consumer Welfare

- Market Definition
- Competition Policy
- Horizontal and Vertical Agreements
- Leniency Programme
- Block Exemptions
- Efficiency Defence

Enforcement and Compliance:

- Merger Control
- Fines and Remedies
- Private Enforcement
- Public Enforcement
- Competition Compliance Programmes

Contemporary Issues:

- Digital Markets
- Platform Regulation
- Digital Markets Act (DMA)
- Big Tech and Gatekeepers
- Algorithmic Collusion
- Competition and Innovation
- Green Antitrust / Sustainability

Course Design and Overview (Weekly Plan)

Week	Topics
1.	Introduction and overview of the actors and the statutes. (1)
2.	Introduction and overview of the actors and the statutes. (2)
3.	Antitrust. Anti-competitive agreements. Agreements compatible with Competition Law. (1)
4.	Antitrust. Anti-competitive agreements. Agreements compatible with Competition Law. (2)
5.	Antitrust. Abuses of a dominant position. (1)
6.	Antitrust. Abuses of a dominant position. (2)
7.	Mergers (1)
8.	Mergers (2)
9.	Mergers (3)
10.	State Intervention (1)

11.	State Intervention (2)
12.	Competition Law in the Digital Economy
13.	Competition Law in the Digital Economy
14.	<p style="text-align: center;">REVISION WEEK</p> <p>[NOTE: There shall be teaching classes scheduled during the fourteenth week subject to the JGU Academic Calendar circulated by the Office of the Registrar, JGU and any official declaration of non-working days by the JGU Registrar.]</p>

Module Descriptions:

The EU Competition Law module provides students with a comprehensive and clear understanding of the law, institutions and economics that drive competition policy in the internal market of the European Union. The module investigates the fundamental parts of the Treaty on the Functioning of the European Union (TFEU), which includes the prohibition of anti-competitive agreements in Article 101, the abuse of market dominance in Article 102, merger control and state aid control. The module also considers how the European Commission, the Court of Justice of the EU (CJEU) and National Competition Authorities interpret and enforce these rules. Additionally, students will have the opportunity to apply their analytical skills to case law, policy discussions, and general exercises to gain an understanding of how EU competition law integrates or balances competition policy, market efficiency, consumer welfare, and fairness, and especially new principles of regulating competition in digital markets and platforms and dealing with constantly evolving regulatory challenges.

Part V Relevant Readings / Essential Readings

Week 1: WHISH, RICHARD, AND DAVID BAILEY, *COMPETITION LAW*, 10TH EDN (OXFORD, 2021; ONLINE EDN, OXFORD LAW PRO, 1 SEPT. 2021),

JONES AND SUFRIN, *EU COMPETITION LAW, TEXT, CASES AND MATERIALS*, OXFORD UNIVERSITY PRESS. 7TH

EDITION, 2019

DAMIEN GERARD AND ELEANOR FOX, *EU COMPETITION LAW*, EDWARD ELGAR PUBLISHING, 2017.

WISH RICHARD, *COMPETITION LAW*, OXFORD UNIVERSITY PRESS, 9TH EDITION, 2018

Week 2: Sufrin, Brenda, Niamh Dunne, and Alison Jones, *Jones & Sufrin's EU Competition Law: Text, Cases & Materials*, 8th edn, Text, Cases, and Materials (Oxford, 2023; online edn, Oxford Law Pro, 1 Aug. 2023)

Bellamy and Child, European Community Law of Competition, Oxford University Press, 2016 edition (and Bellamy & Child: Materials on European Union Law of Competition Law

Week 3: The Commission decision on the Blocktrains cartel (2015)

The Commission decision on the Blocktrains cartel (2015)

[HTTPS://COMPETITION-POLICY.EC.EUROPA.EU/ANTITRUST-AND-CARTELS_EN](https://COMPETITION-POLICY.EC.EUROPA.EU/ANTITRUST-AND-CARTELS_EN)

Week 4: THE ECJ JUDGEMENT GROUPEMENT DES CARTES BANCAIRES (C-67/13 P) (2014)

<https://curia.europa.eu/juris/document/document.jsf?text=&docid=157516&pageIndex=0&doclang=EN&mode=lst&dir=&occ=first&part=1&cid=203310>

Week 5: The CFI judgement Intel, T-286/09 of 12 June 2014 (see points 21 to 33 for a summary of the essential elements of the Commission decision, points 69 to 71 for a summary presentation of the controversy regarding the licit or illicit nature of the fidelity rebates, 74 and ss for a concise explanation of the types of rebates according to the case-law of the EU Courts, 140 and ss for a judicial interpretation of the As Efficient Competitor (AEC) test.

<https://curia.europa.eu/juris/document/document.jsf?docid=153576&mode=req&pageIndex=1&dir=&occ=first&part=1&text=&doclang=EN&cid=38360%20>

Week 6: The ECJ judgement Intel, C-413/14P of September 6, 2017

<https://curia.europa.eu/juris/document/document.jsf?jsessionid=9ea7d2dc30d6fe58288c35e143869edc924542a685e9.e34KaxiLc3qMb40Rch0SaxyMbx90?text=&docid=194082&pageIndex=0&doclang=EN&mode=lst&dir=&occ=first&part=1&cid=222163>

Week 7: The Commission prohibition decision in UPS/TNT Express (2013, published 2014). For a summary of the Decision:

[https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52014XC0507\(01\)&qid=1442163761509&from=EN](https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52014XC0507(01)&qid=1442163761509&from=EN)

The full text of the Decision:

https://ec.europa.eu/competition/mergers/cases/decisions/m6570_20130130_20610_4241141_EN.pdf

Week 8: The judgement of the General Court, T-194/13 of 7 March, 2017:

<https://curia.europa.eu/juris/document/document.jsf?text=&docid=188600&pageIndex=0&doclang=en&mode=lst&dir=&occ=first&part=1&cid=223835>

Week 9: The judgement of the Court of Justice, C-265/17 of 16 January 2019:

<https://curia.europa.eu/juris/document/document.jsf?text=&docid=209848&pageIndex=0&doclang=en&mode=lst&dir=&occ=first&part=1&cid=12579534>

Week 10: The ECJ judgment of 17 July 2014 in case C-553/12P Commission/DEI:

<https://curia.europa.eu/juris/document/document.jsf?jsessionid=9ea7d0f130d5b58970a5665d4fab35af74f7939bddc.e34KaxiLc3eQc40LaxqMbN4ObNmPe0?text=&docid=155109&pageIndex=0&doclang=EN&mode=lst&dir=&occ=first&part=1&cid=200239>

And the EU Commission decision in the Apple State aid case:

https://ec.europa.eu/commission/presscorner/detail/en/ip_16_2923

Week 11: Press release: IP/16/2923 http://europa.eu/rapid/press-release_IP-16-2923_en.htm

Decision State aid SA.38373 (2014/C) (ex 2014/NN) (ex 2014/CP) – Ireland alleged aid to Apple

https://ec.europa.eu/competition/state_aid/cases/253200/253200_1582634_87_2.pdf

Week 12: Contemporary cases: *Google Android*, *Amazon Marketplace*, *Apple App Store*.

Week 13: Petit, Nicolas, *Big Tech and the Digital Economy: The Monigopoly Scenario* (Oxford, 2020; online edn, Oxford Academic, 19 Nov. 2020)

Simone, C., Laudando, A. Principles and obligations of the Digital Markets Act in regulating the economic power of gatekeepers: Positive, negative or trade-off effects?. *Electron Markets* **35**, 42 (2025)