



UNIVERSITÀ DEGLI STUDI DI MILANO-BICOCCA

SYLLABUS DEL CORSO

Eu Antitrust Law

2021-4-A5810236

Learning objectives

The course, which will be mainly focused on the analysis of the Commission's common practice and ECJ's case law, including well-known cases involving undertakings such as *Microsoft* and *Google*, will offer a very practical overview of the functioning of the Internal Market and, in particular, of EU competition law, through the analysis of competition rules applicable to the private field (anti-competitive agreements, abuse of dominant position and mergers ex artt. 101-106 TFUE), as well as rules governing public intervention in the economy (State aid rules, liberalization policies ex art. 107 and 108 TFUE).

The interrelation between Law and economics is very important in this field.

In light of the importance which the abovementioned issues have gained for a significant number of professionals, this course may be very useful for all *laurea magistrale* and *laurea triennale* students who intend to work within National or European public administration bodies, law firms, consulting firms, or enterprises.

Contents

The course, which will be mainly focused on the analysis of the Commission's common practice and ECJ's case law, including well-known cases involving undertakings such as *Microsoft* and *Google*, will offer a very practical overview of the functioning of the Internal Market and, in particular, of EU competition law, through the analysis of competition rules applicable to the private field (anti-competitive agreements, abuse of dominant position and

mergers ex artt. 101-106 TFUE), as well as rules governing public intervention in the economy (State aid rules, liberalization policies ex art. 107 and 108 TFUE).

Detailed program

The course, which will be mainly focused on the analysis of the Commission's common practice and ECJ's case law, including well-known cases involving undertakings such as *Microsoft* and *Google*, will offer a very practical overview of the functioning of the Internal Market and, in particular, of EU competition law, through the analysis of competition rules applicable to the private field (anti-competitive agreements, abuse of dominant position and mergers ex artt. 101-106 TFUE), as well as rules governing public intervention in the economy (State aid rules, liberalization policies ex art. 107 and 108 TFUE).

The interrelation between Law and economics is very important in this field.

In light of the importance which the abovementioned issues have gained for a significant number of professionals, this course may be very useful for all *laurea magistrale* and *laurea triennale* students who intend to work within National or European public administration bodies, law firms, consulting firms, or enterprises.

The course will take a very concrete and interactive approach with regard to the issues which will be dealt with from time to time and will always make reference to European Commission's common practice and Court of Justice of the European Union's case law. For this purpose, several meetings may be scheduled with lawyers, European Commission's high officials, economists or managers who generally apply such rules within their day-to-day activity, in order to provide students with their practical experience.

Prerequisites

Knowledge of EU Law is mandatory.

Teaching methods

The lecturing activity will be rendered in Italian and English will be organized in:

- frontal lectures;

- critical discussion of the selected topics;
- autonomous solution of cases from the student and homework;
- individual and group works and activities;
- case discussions.

Students are expected to take an active part in the course since the emphasis is placed upon seminars and discussion groups rather than formal lectures. Students must also be prepared to give presentations to the rest of the group.

Assessment methods

Oral exam is mandatory for non-attending students.

Attending students may instead take oral exams during the course. Students are expected to take an active part in the course since the emphasis is placed upon seminars and discussion groups rather than formal lectures. Students must also be prepared to give presentations to the rest of the group.

SOME PRACTICE RULE FOR TESTS DURING THE COVID 19 PERIOD WITH REGARD TO COURSES "EUROPEAN UNION LAW – LAUREA TRIENNALE" AND "EU ANTITRUST LAW"

Prof. Serena Crespi

1. Examination procedure during Covid19

During the Covid 19 period, the exams of the courses "EU Law – laurea triennale" and "EU Antitrust Law" (Prof. Serena Crespi) will take place **orally through the app Webex**, installed on the e-learning platform of the respective courses related to the academic year 2019/2020.

The exam will always be carried out orally and in alphabetical order.

The exam will be public by the presence of one or more students at the oral exam via Webex.

If the exam has a **limited number of enrolled students**, the oral exam will be conducted directly by the Professor in charge of the chair via Webex in alphabetical order.

If instead the **number of students enrolled is copious**, the Professor:

- Can make use of collaborators (so-called parallel commissions)

- And / or will distribute the exam over several days (always in the afternoon at 2.00 pm, since the appeals of the two aforementioned courses always at 2.00 pm).

In the latter two cases, the concrete indications will be communicated approximately 2/3 days before the exam session directly by the Professor via email sent by Segreteria online or by Moodle (ie e-learning system ... subscribe to the relevant platforms of the course and always check your email!).

2. Practical instructions that students must absolutely respect in order to take the exam in the Covid 19 period

For organizational reasons and to facilitate the management of the exams, here are some operating instructions that students MUST COMPLY WITH.

In order to take the exam it is in particular fundamental that

- **Students must register through the online secretaries within 5 days of the closing of the exam session regardless of the formal closing date of the exam session;**

- Students will **cancel the registration for the exam session if they decide not to show up;**

- In addition to registering for the exam through the Segreteria online, it is also **absolutely necessary to enroll on the e-learning platform 2019/2020 of the course;**

- Since the exams will take place online, students are required **to check their network connection** to ensure a good oral exam through Webex

- Since any communication (i.e. parallel commissions or division of the exams over several afternoons), students are required to **always consult their email.**

Failure to enroll in Segreteria online + on the e-learning platform 2019-2020 of the course prevents the exam from taking place.

Off-course students can contact esamigiuris@unimib.it for any doubts.

Textbooks and Reading Materials

1. For the students that cannot attend classes:

EU Competition Law 2017 Cases, Texts and Context, Eleanor M. Fox, Walter J. Derenberg Professor of Trade Regulation, New York University, School of Law, US and Damien Gerard, Director, Global Competition Law Center (GCLC) and Visiting Professor, College of Europe and Université catholique de Louvain, Belgium

<https://www.e-elgar.com/shop/eu-competition-law>

2. For the students that can attend classes

There is no mandatory book, but rather the material distributed in class will suffice.
