

## DATOS DE IDENTIFICACIÓN

Titulación:	Grado en Análisis de Negocios/Business Analytics		
Rama de Conocimiento:	Ciencias Sociales y Jurídicas		
Facultad/Escuela:	Derecho, Empresa y Gobierno		
Asignatura:	Derecho de la Competencia / Competition Law		
Tipo:	Optativa	Créditos ECTS:	3
Curso:	3	Código:	5364
Periodo docente:	Quinto semestre		
Materia:	Derecho		
Módulo:	Formación Disciplinar		
Tipo de enseñanza:	Presencial		
Idioma:	Castellano		
Total de horas de dedicación del alumno:	75		

Equipo Docente	Correo Electrónico

## DESCRIPCIÓN DE LA ASIGNATURA

Within a free market economy, there are many economic operators, who compete with each other, sometimes in the same economic activities. The success of a company is sometimes based on increasing its market share. However that usually implies a decrease of competitors' market shares. Competition law is focused on the market behaviour both to protect fair competition between the market undertakings and to identify unfair competition.

Certainly a healthy market competition encourages the transparency of prices, a higher quality of products, a higher consumer protection, research, development and many others advantages that demand the active State intervention for its protection and maintenance.

## OBJETIVO

To know and understand the importance of the economic competition within both the international and national market as much as to know the legal institutions that protect market competition.

Los fines específicos de la asignatura son:

To assess how unfair competition operates, i.e., unfair competition consists of growing oneself by sabotaging competitors' projects instead of developing his own ones. To understand that this knowledge can be applied also for our personal life.

To find the right and ethical view of entrepreneurial and human life, as a means to develop our own and unique Project both in business and in private life.

## CONOCIMIENTOS PREVIOS

It is highly recommended to have passed the subject "Company Law" (Derecho de sociedades) since Competition Law analyses issues that affect the activity of corporations while they both perform their economic activity and interact on the market.

## CONTENIDOS

1. Introduction to competition law
  - 1.1. Historical background
  - 1.2. Economic constitution and competition law
  - 1.3. Definition of market competition
  - 1.4. Grounds of competition law
    - 1.4.1. Productive Efficiency
    - 1.4.2. Dynamic Efficiency: The IT markets
  - 1.5. Market analysis
2. Antitrust law
  - 2.1. Prohibited acts
  - 2.2. The price fixing theory of the school of Salamanca
  - 2.3. Concentrations control
  - 2.4. Intervention of Public authority in the economy
  - 2.5. Authorities of competition law
  - 2.6. Penalty Procedure
3. Unfair competition law



- 3.1 Concept
- 3.2. Interest protected
- 3.3. Acts of unfair competition
- 3.4. Advertising and unfair competition

## ACTIVIDADES FORMATIVAS

Methodologically, the learning-process are based on two main activities, classroom-based activity and out-of-classroom activity, detailed as follows:

### CLASSROOM-BASED ACTIVITY:

- Theoretical classes. Explanation of contents made by the Professor with the participation of students, who will comment the recommended readings and present some topics.
- Flipped Learning
- Team or individual work
- Individual tutorial: Personal attention to the student in order to both discuss the topics presented during the lectures and solve doubts.
- Evaluation: Assessment activities during the semester.

### OUT-OF-CLASS ACTIVITIES:

- Theoretical and practical study: Study of theoretical and practical contents of this subject
- Preparation of presentations and proposed activities.

## DISTRIBUCIÓN DE LOS TIEMPOS DE TRABAJO

ACTIVIDAD PRESENCIAL	TRABAJO AUTÓNOMO/ACTIVIDAD NO PRESENCIAL
30 horas	45 horas
Attendance to lectures Resolution of practical cases Group or individual Tutorials Group and individual work	Study of contents Preparation of presentations of topics and other proposed activities.

## COMPETENCIAS

### Competencias básicas

Que los estudiantes hayan demostrado poseer y comprender conocimientos en un área de estudio que parte de la base de la educación secundaria general, y se suele encontrar a un nivel que, si bien se apoya en libros de texto avanzados, incluye también algunos aspectos que implican conocimientos procedentes de la vanguardia de su campo de estudio

Que los estudiantes sepan aplicar sus conocimientos a su trabajo o vocación de una forma profesional y posean las competencias que suelen demostrarse por medio de la elaboración y defensa de argumentos y la resolución de problemas dentro de su área de estudio

Que los estudiantes tengan la capacidad de reunir e interpretar datos relevantes (normalmente dentro de su área de estudio) para emitir juicios que incluyan una reflexión sobre temas relevantes de índole social, científica o ética

Que los estudiantes puedan transmitir información, ideas, problemas y soluciones a un público tanto especializado como no especializado

Que los estudiantes hayan desarrollado aquellas habilidades de aprendizaje necesarias para emprender estudios posteriores con un alto grado de autonomía

### Competencias generales

Compromiso ético en la sociedad de la información

Capacidad de pensamiento crítico, autocrítico, analítico y reflexivo

Capacidad de aprendizaje autónomo en la sociedad de la información

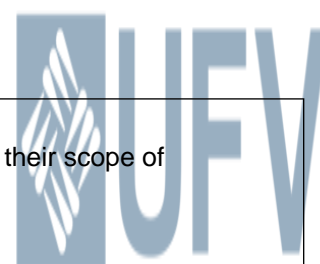
### Competencias específicas

Manejar las fuentes jurídicas (legales, jurisprudenciales y doctrinales) aplicables al caso de estudio.

Conseguir la percepción del carácter unitario del ordenamiento jurídico y de la necesaria visión interdisciplinaria de los problemas jurídicos.

## RESULTADOS DE APRENDIZAJE

The student knows sufficiently the different regulations regarding competition law, including their scope of application



The student understands the role of competition law in the organization of the economic life in an ethical way.

The student is aware of the relationship between economic competition and personal life in terms of his/her own personal development.

## SISTEMA DE EVALUACIÓN DEL APRENDIZAJE

The appraisal system will have the following parameters:

### A. ORDINARY ASSESSMENT:

A.I.- 60% Objective written assessment or assessments (Exams will be developed face-to-face as long as the health situation permits so, but they may be modified with the purpose to comply with the authorities' health instructions.)

A.II.-40% Continuous learning assessment 30% Resolution of practical cases and other activities. 10% Active participation during classes & suggested activities.

A.III. For students at second and further calls the attendance is not compulsory, if they properly inform the professor in charge. In this latter case these the assessment items will be as follows: - 70% Written assessment. -30% Practical cases proposed by the professor. -Apart from that, prescriptions of the ordinary assessment are to applied.

B. EXTRAORDINARY ASSESSMENT: In extraordinary examination the assessment will take into account the following parameters:

B.I.- 70% Written assessment.

B.II. -30% Practical cases proposed by the professor.

C. MINIMUM SCORE: To pass the subject is a necessary condition to have a minimum score of 4 (out of 10) on all assessments, including the written ones.

D. ACADEMIC WAIVER: Academic permission for the non-attendance can be granted by the proper academic authority if it is properly evidenced (medical or working causes). Out-going Erasmus students are exempted too from attending classes. In all these cases, the assessment will consist of the following activities:

D.I. 70% Objective written assessment

D.II. 30% Assigned task(s) by the professor. E. HONORS: Award of honor will be only granted to that student who stands above the rest of the students for his/her high academic achievements and moral attributes. F. "Out-going" students (Erasmus program)/ Incoming students should contact the professor as soon as possible to set the assessment activities and the monitoring method of the subject.

Plagiarism behaviors, as well as the use of illegitimate means in the evaluation tests, will be sanctioned in accordance with the provisions of the Evaluation Regulations and the University's Coexistence Regulations.

## BIBLIOGRAFÍA Y OTROS RECURSOS

### Básica

Broseta Pont, Manuel (1932-1992) Manual de derecho mercantil / 26ª ed. Madrid :Tecnos,2019.

