

Teaching guide

IDENTIFICATION DETAILS

Degree:	Law		
Field of Knowledge:	Social and Legal Science		
Faculty/School:	Law, Business and Governance		
Course:	COMPETITION LAW		
Type:	Compulsory	ECTS credits:	3
Year:	4	Code:	7247
Teaching period:	Seventh semester		
Area:	Commercial Law		
Module:	Private Law		
Teaching type:	Classroom-based		
Language:	Castellano		
Total number of student study hours:	75		

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SUBJECT DESCRIPTION

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 share. Competition law is focused on the market behaviour both to protect fair competition between the market operators and to identify unfair competition. Certainly a healthy market competition encourages the transparency of prices, a higher quality of products and a higher consumer protection, research, development and many others advantages that demand the active State intervention for their protection and maintenance.

GOAL

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.

The specific aims of the subject are:

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.

COURSE SYLLABUS

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

EDUCATION ACTIVITIES

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.

Learning activities, as well as distribution of working hours, may be modified and adapted taking into account the different scenarios which might be envisaged by the health authorities

DISTRIBUTION OF WORK TIME

CLASSROOM-BASED ACTIVITY	INDEPENDENT STUDY/OUT-OF-CLASSROOM ACTIVITY
30 hours	45 hours

SKILLS

Basic Skills

Students must have demonstrated knowledge and understanding in an area of study that is founded on general secondary education. Moreover, the area of study is typically at a level that includes certain aspects implying knowledge at the forefront of its field of study, albeit supported by advanced textbooks

Students must be able to apply their knowledge to their work or vocation in a professional manner and possess skills that can typically be demonstrated by coming up with and sustaining arguments and solving problems within their field of study

Students must have the ability to gather and interpret relevant data (usually within their field of study) in order to make judgments that include reflections on pertinent social, scientific or ethical issues

Students must be able to convey information, ideas, problems and solutions to both an expert and non-expert audience

Students must have developed the learning skills needed to undertake further study with a high degree of independence

General Skills

To be familiar with the substantive content of legal disciplines and all supplementary fields.

To apply theoretical knowledge in the solving of problems.

To research, manage sources and handle information.

To develop the areas needed to promote teamwork, adapting to new situations, being tolerant, and developing ethical behaviour and social commitment.

Specific skills

To be familiar with legal concepts, institutions and relations and their foundations.

To apply ethical principles and values in both personal and professional life.

To master computer techniques involved in obtaining legal information (legislation databases, jurisprudence, literature, etc.).

To work in teams, actively contributing to group tasks and objectives.

LEARNING RESULTS

LEARNING APPRAISAL SYSTEM

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.

NOTE: In the event that the health authorities adopt decisions forcing the return to remote teaching, the evaluation will remain the same.

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.

Conducts infringing academic performance compliance rules, such as plagiarism and cheating in exams, shall be considered severe infringements according to article 7 of the UFV Rules of Coexistence and appropriate sanctions shall be imposed as per article 9 of such Rules

BIBLIOGRAPHY AND OTHER RESOURCES

Basic

GARCIA-CRUCES, Jose Antonio [Dir.] Tratado de derecho de la competencia y de la publicidad. Tomo I y II. Tirant lo Blanch: Valencia, ultima edicion

WHISH, R.; BALLEY, D., Competition Law, Editorial Oxford University Press: London, last edition.

Additional

BROSETA PONT, M., Manual de Derecho Mercantil. Volumen I. Tecnos: Madrid, ultima edicion.

HERNANDEZ-RICO, Jose Miguel et al. Derecho de la publicidad. Thomson Reuters (Editorial Aranzadi, S.A.): Cizur Menor (Navarra), 2015.

SIGNES DE MESA; FERNANDEZ TORRES; FUENTES NAVARRO, Derecho de la competencia, Edt. Civitas, Madrid 2013.

Other bibliography that might be recommended during the semester