

Teaching guide

IDENTIFICATION DETAILS

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

PRIOR KNOWLEDGE

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

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
 - 1.5. 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.
- Learning based on problems-resolution.
- 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.
- Cross cutting activity with "Law Philosophy" and "Introduction to Theology".

OUT-OF-CLASS ACTIVITIES:

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

DISTRIBUTION OF WORK TIME

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

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

He/She argues, shares and explains his/her legal opinion before an audience.

He/She understands the grounds on which the State bases its intervention in the market in order to preserve the market competition

He/She understands the main problems that arise when companies carry out their commercial activity in the marketplace as they compete with each other

He/She recognises the foundations of the unfair competition law as the guidelines for an ethical and responsible behaviour within the marketplace

He/She analyses cases that may violate competition or unfair competition regulations. Moreover, he/she identifies legal problems regarding business competition

LEARNING APPRAISAL SYSTEM

The appraisal system will have the following parameters:

A. Ordinary assessment:

A.I.- 60% Objective written assessment or assessments.

A.II.-40% Continuous learning assessment

30% Resolution of practical cases and other activities.

10% Class attendance and active class participation.

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 will be the assessment items:

- 70% Written assessment.

-30% Practical cases proposed by the professor.

B. Extraordinary examination:

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. 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 authorization: Academic permission for the non- attendance can be granted by the academic direction if it is properly evidenced (medical or working causes). In 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. Honour qualification: The honour score 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.

BIBLIOGRAPHY AND OTHER RESOURCES

Basic

WHISH, R.; BALLEY, D., Competition Law, Editorial Oxford University Press: London, ultima edicion.

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

Additional

BROSETA PONT, M., Manual de Derecho Mercantil. Volumen I. Tecnos: Madrid, última edición.

Other bibliography that might be recommended during the semester