

Teaching guide

IDENTIFICATION DETAILS

Degree:	Law		
Field of Knowledge:	Social and Legal Sciences		
Faculty/School:	Law, Business and Government		
Course:	COMPETITION LAW		
Type:	Compulsory	ECTS credits:	3
Year:	4	Code:	7247
Teaching period:	Seventh semester		
Subject:	Commercial Law		
Module:	Private Law		
Teaching type:	Classroom-based		
Language:	Inglés		
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 behavior 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 other advantages that demand the active State intervention for their protection and maintenance.

GOAL

To know and understand the importance of 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 also be applied 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' since Competition Law analyses issues that affect the activity of corporations while they both perform their economic activity 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
 - 1.4.1. 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 is 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 on 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.

DISTRIBUTION OF WORK TIME

TEACHER-LED TRAINING ACTIVITIES	INDIVIDUAL WORK
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30 Horas	45 Horas
Attendance to lectures Resolution of practical cases Group or individual Tutorials Group and individual work Flipped classroom	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

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 behavior and social commitment.

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 behavior and social commitment.

Specific skills

Know the concepts, institutions and legal relationships and their basis.

Apply ethical principles and values in personal and professional life.

Master computer techniques in obtaining legal information (databases of legislation, case law, bibliography,...).

Work as a team, actively contributing to the group's task.

LEARNING RESULTS

Argues, shares, and presents their legal criteria before an audience.

Understands the basis of public intervention in the market to ensure lawful competition among operators.

Understands the key challenges companies encounter in carrying out their commercial activities in a competitive market environment.

Knows the fundamentals of unfair competition as a basis for an ethical and responsible behavior in economic transactions

Analyzes cases that may violate competition law or unfair competition law being prepared to identify legal issues of business competition.

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 allows 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 teacher 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 be 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, that are to be presented in writing or orally.

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

written assessments.

D. ACADEMIC WAIVER: Academic permission for 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 their 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 the UFV Rules of Coexistence and appropriate sanctions shall be imposed.

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.

ETHICAL AND RESPONSIBLE USE OF ARTIFICIAL INTELLIGENCE

1.- The use of any Artificial Intelligence (AI) system or service shall be determined by the lecturer, and may only be used in the manner and under the conditions indicated by them. In all cases, its use must comply with the following principles:

- a) The use of AI systems or services must be accompanied by critical reflection on the part of the student regarding their impact and/or limitations in the development of the assigned task or project.
- b) The selection of AI systems or services must be justified, explaining their advantages over other tools or methods of obtaining information. The chosen model and the version of AI used must be described in as much detail as possible.
- c) The student must appropriately cite the use of AI systems or services, specifying the parts of the work where they were used and describing the creative process followed. The use of citation formats and usage examples may be consulted on the Library website(https://www.ufv.es/gestion-de-la-informacion_biblioteca/).
- d) The results obtained through AI systems or services must always be verified. As the author, the student is responsible for their work and for the legitimacy of the sources used.

2.- In all cases, the use of AI systems or services must always respect the principles of responsible and ethical use upheld by the university, as outlined in the [Guide for the Responsible Use of Artificial Intelligence in Studies at UFV](#). Additionally, the lecturer may request other types of individual commitments from the student when deemed necessary.

3.- Without prejudice to the above, in cases of doubt regarding the ethical and responsible use of any AI system or service, the lecturer may require an oral presentation of any assignment or partial submission. This oral evaluation shall take precedence over any other form of assessment outlined in the Teaching Guide. In this oral defense, the student must demonstrate knowledge of the subject, justify their decisions, and explain the development of their work.

BIBLIOGRAPHY AND OTHER RESOURCES

Basic

Whish, Richard. Competition Law/9th ed. Oxford: Oxford University Press, 2018.

European Union Communication from the Commission — Guidance on the Commission's enforcement priorities in applying Article 82 of the EC Treaty to abusive exclusionary conduct by dominant undertakings Last

Additional

Palao Uceda, Juan 'Unfair Competition Behaviors and Business Identity: A Humanistic and Legal Approach' in García- Cruces, José Antonio De Iure Mercatus. Book Tribute to Prof. Dr. Dr.h.c. Alberto Bercovitz Rodríguez-Cano, pp. 1307-1333. 2023

(Palao Uceda, Juan 'Unfair Competition Behaviors and Business Identity: A Humanistic and Legal Approach' in García- Cruces, José Antonio De Iure Mercatus. Book Tribute to Prof. Dr. Dr.h.c. Alberto Bercovitz Rodríguez-Cano, pp. 1307-1333. 2023 , Tirant Lo Blanch)