

## TANTÁRGYI TEMATIKA

Európai és nemzetközi üzleti jog (angol nyelvű LLM)  
nappali és levelező tagozat

14.

**European Competition Law**  
**(Európai versenyjog)**

2021/22/2.

<b>Tantárgy neve:</b> European Competition Law	<b>Tantárgy Neptun kódja:</b> nappali: AJAMU102LLMN2 levelező: AJAMU202LLML2 <b>Tárgyfelelős intézet:</b> Civilisztikai Tudományok Intézete Agrár- és Munkajogi Intézeti Tanszék <b>Tantárgyelem:</b> kötelező
<b>Tárgyfelelős:</b> Prof. Dr. Szilágyi János Ede egyetemi tanár	
<b>Közreműködő oktató:</b> Dr. habil. Juhász Ágnes egyetemi docens	
<b>Javasolt félév:</b> 2. félév (tavaszi)	<b>Előfeltétel:</b> -
<b>Óraszám:</b> nappali: 2 óra/hét levelező: 8 óra/félév	<b>Számonkérés módja:</b> kollokvium
<b>Kreditpont:</b> 4	<b>Munkarend:</b> nappali/levelező
<p><b>Tantárgy feladata és célja:</b> Competition is one of the most important elements of the market economy. The competition law of the European Union can be divided into two parts, namely a written part and a case-law part. The course aims at providing a general overview of the competition law of the European Union, which serves as a pattern for the Member States.</p> <p><b>Fejlesztendő kompetenciák:</b> <b>tudás:</b> T1, T2, T3, T4, T5, T9 <b>képesség:</b> K1, K2, K3, K4, K5, K6, K7, K8 <b>attitűd:</b> A1, A2, A3, A4, A5, A6 <b>autonómia és felelősség:</b> F1, F2, F3, F4, F5, F6</p>	
<p><b>Tantárgy tematikus leírása:</b></p> <ol style="list-style-type: none"> <li>1. Competition law and the market economy. An overview of EU competition law (rules, actors, case law)</li> <li>2. Basic legal institutions in the competition law. Undertakings, groups of undertakings. Freedom of undertakings. Relevant market. European dimension – effect of trade between Member States.</li> <li>3. Anti-competitive agreements, different kinds of agreements, horizontal and vertical agreements, types of horizontal and vertical agreements, restriction of competition.</li> <li>4. Lawful agreements, block exemptions, bagatelle cartels.</li> <li>5. Joint ventures, R&amp;D</li> <li>6. Vertical agreements: block exemption.</li> <li>7. Dominant position, collective dominant position.</li> </ol>	

8. Abuse of dominant position
9. Specific abusive conducts: exclusive agreements, tying, refusal to supply, rebates
10. Predatory pricing, margin squeeze, intellectual property rights
11. Procedural issues of Article 101 and 102 of TFEU and Council Regulation (EC) No 1/2003
12. Private enforcement of competition damages
13. Mergers: jurisdiction, EU case allocation system, procedure
14. Mergers: substantive law. The obligation of Member States under EU Competition Rules. State aid.

**Félévközi számonkérés módja és értékelése:**

For obtaining the signature, students can choose between writing a classroom test or an essay. Classroom test is about the learned topics of lectures and about the supplementary materials given by the lecturer. To get the signature, students shall reach at least 60% on the written test. If student choose to write an essay, it can be any topic in the field of competition law, agreed with the lecturer of the subject. The essay shall be at least 20.000 and maximum 40.000 characters.

**A kollokvium teljesítésének módja, értékelése:**

Students shall perform the lecture due to a written exam. The test incorporates the full topic of the lecture. The marks are the following:

- 0-59 % - fail (1)
- 60-69 % - pass (2)
- 70-79 % - satisfactory (3)
- 80-89 % - good (4)
- 90-100% - excellent (5)

**Kötelező irodalom:**

Course Compendium on European and Comparative Competition Law – A selection of study material (legal sources, court decisions, studies) designed for the course by the course lecturer(s). The Compendium is aimed at the use of the LLM program students solely and is not intended for commercial circulation. A copy of the Compendium is available to every student in the program.

**Ajánlott irodalom:**

1. Albors-Llorens, Albertina: *Horizontal agreements and concerted practices in EC competition law: Unlawful and legitimate contacts between competitors*, In: The Antitrust Bulletin, 2006/4., pp. 837-879
2. Fishwick, Francis: *The Definition of the Relevant Market in the Competition Policy of the European Economic Community*, In: Revue d'économie industrielle, 1993/63., pp. 174-192
3. Jones, Alison: *The Boundaries of an Undertaking in EU Competition Law*, In: European Competition Journal, 2012/8., pp. 301-331
4. Cucu, Christina: *„Agreements”, „decisions” and „concerted practices”*: Key concepts in the analysis of anti-competitive agreements, In: Lex et Scientia International Journal, 2013/1., pp. 24-39
5. Plank, René: *Modernisation of State aid block exemptions*, In: Zeitschrift für Wettbewerbsrech, 2014/3., pp. 271-281
6. Pukkas, Andrius: *The EU practice of horizontal agreement assessment in*

- accordance with the rule of providing de minimis exemption*, In: *Baltic Journal of Law & Politics*, 2012/5., pp. 65-80
7. Akman, Pinar: *The Concept of Abuse in EU Competition Law*, Hart Publishing, 2012
  8. Bishop, William: *Price Discrimination under Article 86: Political Economy in the European Court*, In: *Modern Law Review*, 1982/3., pp. 249-368
  9. Di Porto, Fabiana – Podszun, Rupprecht: *Abusive Practices in Competition Law*, Edward Elgar Publishing, 2018
  10. Gaudin, Germain – Mantzari, Despoina: *Margin Squeeze: An Above-Cost Predatory Pricing Approach*, In: *Journal of Competition Law & Economics*, 2016/1., pp. 151-179
  11. Lang, John Temple: *Monopolisation and the Definition of „Abuse” of a Dominant Position under Article 86 EEC Treaty*, In: *Common Market Law Review*, 1979/16., pp. 345-364
  12. Lang, John Temple: *Reprisals and Overreaction by Dominant Companies as an Anti-Competitive Abuse under Article 82(b)*, In: *European Competition Law Review*, 2008/1., pp. 11-15
  13. Moisejevas, Raimundas: *Predatory Pricing: A Framework for Analysis*, In: *Baltic Journal of Law & Politics*, 2017/1., pp. 124–155
  14. Muysert, Paul: *Price discrimination - an unreliable indicator of market power*, In: *European Competition Law Review*, 2004/25., pp. 350
  15. Odudu, Okeoghene: *Collective Dominance Clarified?*, In: *The Cambridge Law Journal*, 2004/1., pp. 44-46
  16. Waelbroeck, Denis: *Michelin II: A Per Se Rule Against Rebates by Dominant Companies?*, In: *Journal of Competition Law & Economics*, 2005/1., pp. 149-171
  17. Celli, Riccardo – Madsen, Christian Riis – Noguès, Philippe – Frank, Stéphane: *Corporate Acquisitions and Mergers in the European Union*, Wolters Kluwer, 2016
  18. Moisejevas, Raimundas: *Problems Related to Determining of a Single Economic Entity Under Competition Law*, In: *Yearbook of Antitrust and Regulatory Studies (YARS)*, 2017/10., pp. 107-126
  19. Basedow, Jürgen (ed.): *Private Enforcement of EC Competition Law*, Wolters Kluwer, 2007
  20. Bergström, Maria – Iacovides, Marios – Strand, Magnus: *Harmonising EU Competition Litigation: The New Directive and Beyond*, Bloomsbury Publishing, 2016
  21. Bovis, Christopher H. – Clarke, Charles M.: *Private Enforcement of EU Competition Law*, In: *Liverpool Law Review*, 2015/1., pp 49-71
  22. Hüschelrath, Kai – Peyer, Sebastian: *Public and Private Enforcement of Competition Law: A Differentiated Approach*, In: *World Competition*, 2013/4., pp. 585-613
  23. Müller, Felix: *The New Council Regulation (EC) No. 1/2003 on the Implementation of the Rules on Competition*, In: *German Law Journal*, 2004/5., pp.
  24. Peyer, Sebastian: *Compensation and the Damages Directive*, In: *European Competition Journal*, 2016/1., pp. 87-112
  25. Thiede, Thomas: *Private Enforcement of anti-trust damages in Europe – a Germanic perspective on Directive 2014/104/EU*, In: *ELTE Law Journal*, 2015/1., pp. 147-174