

# LAWS90046 Competition and New Technologies

<b>Credit Points:</b>	12.5						
<b>Level:</b>	9 (Graduate/Postgraduate)						
<b>Dates &amp; Locations:</b>	2016, Parkville This subject commences in the following study period/s: March, Parkville - Taught on campus. This subject has a quota of 30 students. Please refer to the Melbourne Law Masters website for further information about the management of subject quotas and waitlists.						
<b>Time Commitment:</b>	Contact Hours: 24-26 hours Total Time Commitment: 136-150 hours The pre-teaching period commences four weeks before the subject commencement date. From this time, students are expected to access and review the Reading Guide that will be available from the LMS subject page and the subject materials provided by the subject coordinator, which will be available from Melbourne Law School. Refer to the Reading Guide for confirmation of which resources need to be read and what other preparation is required before the teaching period commences.						
<b>Prerequisites:</b>	<p><b>Melbourne Law Masters Students:</b> None</p> <p><b>JD Students:</b> Successful completion of all the below subjects:</p> <table border="1"> <thead> <tr> <th>Subject</th> <th>Study Period Commencement:</th> <th>Credit Points:</th> </tr> </thead> <tbody> <tr> <td>LAWS50063 Competition Law</td> <td>November, Semester 2</td> <td>12.5</td> </tr> </tbody> </table>	Subject	Study Period Commencement:	Credit Points:	LAWS50063 Competition Law	November, Semester 2	12.5
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LAWS50063 Competition Law	November, Semester 2	12.5					
<b>Corequisites:</b>	None						
<b>Recommended Background Knowledge:</b>	It is recommended that students have a basic knowledge of competition law. Applicants without legal qualifications should note that subjects are offered in the discipline of law at an advanced graduate level. While every effort will be made to meet the needs of students trained in other fields, concessions will not be made in the general level of instruction or assessment. Most subjects assume the knowledge usually acquired in a degree in law (LLB, JD or equivalent). Applicants should note that admission to some subjects in the Melbourne Law Masters will be dependent upon the individual applicant's educational background and professional experience.						
<b>Non Allowed Subjects:</b>	None						
<b>Core Participation Requirements:</b>	The Melbourne Law Masters welcomes applications from students with disabilities. The inherent academic requirements for study in the Melbourne Law Masters are: The ability to attend a minimum of 75% of classes and actively engage in the analysis and critique of complex materials and debate; The ability to read, analyse and comprehend complex written legal materials and complex interdisciplinary materials; The ability to clearly and independently communicate in writing a knowledge and application of legal principles and interdisciplinary materials and to critically evaluate these; The ability to clearly and independently communicate orally a knowledge and application of legal principles and interdisciplinary materials and critically evaluate these; The ability to work independently and as a part of a group; The ability to present orally and in writing legal analysis to a professional standard. Students who feel their disability will inhibit them from meeting these inherent academic requirements are encouraged to contact Student Equity and Disability Support.						
<b>Contact:</b>	<p><b>Lecturers</b></p> <p><b>Professor Damien Geradin</b> (<a href="http://www.law.unimelb.edu.au/staff/Damien%20Geradin">http://www.law.unimelb.edu.au/staff/Damien%20Geradin</a>) (Coordinator)</p> <p>Email: <a href="mailto:law-masters@unimelb.edu.au">law-masters@unimelb.edu.au</a> (<a href="mailto:law-masters@unimelb.edu.au">mailto:law-masters@unimelb.edu.au</a>) Phone: +61 3 8344 6190 Website: <a href="http://www.law.unimelb.edu.au/masters">www.law.unimelb.edu.au/masters</a> (<a href="http://www.law.unimelb.edu.au/masters">http://www.law.unimelb.edu.au/masters</a>)</p>						
<b>Subject Overview:</b>	The high-tech sector represents an increasingly important part of the world economy and is challenging the boundaries of orthodox competition law rules and approaches. Many of the						

	<p>most significant cases adjudicated by competition authorities around the world involve high-tech corporations (Microsoft, Intel, Google, Apple, etc). The high-tech industry is highly dynamic and raises particularly complex issues that need to be addressed by competition lawyers. This subject will grapple with these issues at a sophisticated level so that students understand the complex legal and economic challenges raised by the new economy. The lecturer is one of the world's leading experts in this field. He has been involved in some of the most significant high tech cases as a partner in international law firms in Europe, as an expert witness in numerous arbitration and litigation proceedings, and as an academic, currently with posts at Tilburg University, George Mason University and University College London.</p> <p>Principal topics include:</p> <ul style="list-style-type: none"> <li># The role of innovation as a goal of competition law</li> <li># The influence of dynamic efficiency in competition law rule design and application, including in the areas of market definition, merger review and exemptions</li> <li># The intersection between competition law and intellectual property rights, specifically as it arises in the high-tech sector</li> <li># The intersection between competition law, consumer protection and privacy law, specifically as it arises in the high-tech sector</li> <li># Competition law issues in multi-sided markets, including for instance search engines and the Internet economy</li> <li># Competition law issues raised by disruptive business models, such as Uber, Airbnb, etc</li> <li># Major cases, including the US and EU Microsoft cases, the EU Qualcomm case, the US Apple e-book case and the EU Google case.</li> </ul>
<p><b>Learning Outcomes:</b></p>	<p>A student who has successfully completed this subject will:</p> <ul style="list-style-type: none"> <li># Have an advanced understanding of the competition law issues relevant to the high-tech sector</li> <li># Be able to critically analyse and reflect on the role of innovation and dynamic efficiency as a goal of competition law and the trade-offs between different efficiencies</li> <li># Have a sophisticated appreciation of the interface between competition law and intellectual property rights as it relates to the high-tech sector</li> <li># Have had an opportunity to discuss in a systematic and sophisticated way major competition law cases that have arisen in the high-tech sector</li> <li># Be able to assess the types of economic evidence likely to be of assistance in high-tech competition law cases</li> <li># Be able to apply the advanced knowledge that they develop in the subject in the context of problems that arise in legal practice in international competition law cases in the high-tech sector.</li> </ul>
<p><b>Assessment:</b></p>	<p>Class participation (10%) Take-home examination (5,000-6,000 words as specified in the subject reading guide) (40%) (13-16 May) 5,000 word research paper (50%) (22 June) on a topic approved by the subject coordinator A minimum of 75% attendance is a hurdle requirement.</p>
<p><b>Prescribed Texts:</b></p>	<p>Specialist printed materials will be made available free of charge from the Melbourne Law School prior to the pre-teaching period.</p>
<p><b>Breadth Options:</b></p>	<p>This subject is not available as a breadth subject.</p>
<p><b>Fees Information:</b></p>	<p>Subject EFTSL, Level, Discipline &amp; Census Date, <a href="http://enrolment.unimelb.edu.au/fees">http://enrolment.unimelb.edu.au/fees</a></p>
<p><b>Links to further information:</b></p>	<p><a href="http://www.law.unimelb.edu.au/subject/LAWS90046/2016">www.law.unimelb.edu.au/subject/LAWS90046/2016</a></p>
<p><b>Related Course(s):</b></p>	<p>Graduate Diploma in Competition and Consumer Law  Graduate Diploma in Intellectual Property Law  Graduate Diploma in Legal Studies  Juris Doctor  Master of Commercial Law  Master of Competition and Consumer Law  Master of Intellectual Property Law  Master of Laws</p>