



FACULDADE DE DIREITO  
Universidade de Lisboa

## Curricular unit sheet

### Course Masters in Law and Legal Practice

#### Curricular unit

Introduction to Competition Law

#### Responsible Academic staff and respective workload in the curricular unit (enter full name)

Miguel José Pinto Tavares Moura e Silva - 40 TP

#### Other academic staff and respective workloads in the curricular unit

Not applicable

#### Learning outcomes of the curricular unit

This Curricular Unit is an introduction to the essential concepts of Competition Law as it applies to undertakings. The course aims to attain the following outcomes:

- To lead students to master the legal and economic concepts that underpin competition law in action, in a dynamic and critical perspective that allows future study of these subjects;
- To develop the ability to apply competition rules to real cases and to envisage how to solve problems from the different practical perspectives (undertakings injured by restrictive practices, undertakings facing an investigation; competition authorities; regulatory bodies called upon to give opinions on the application of competition law; courts).

For each particular topic within the programme, specific goals will be defined to serve as guidance for each participant's study as well as to serve as to define evaluation parameters.

#### Syllabus

1. The Foundations of Competition Law
2. Procedure and Sanctions
3. Vertical Agreements
4. Horizontal Agreements: Cartels and Facilitating Practices
5. Horizontal Agreements: Joint Ventures and other forms of cooperation
6. Abuse of Dominance
7. Merger Control

#### Demonstration of the syllabus coherence with the curricular unit's objectives.

The syllabus integrates a comprehensive approach to competition law in Portugal and the EU as applied by the courts, comprising all the main topics regarding the competition rules applicable to undertakings. Although primary focus will be on substantive issues, an overall view of procedural rules will also be given, thus enabling the development of a deeper knowledge of Law in action.

#### Teaching methodologies (including evaluation)

Teaching of this curricular unit has both a theoretical and practical nature.

At the beginning of the academic year, the Professor shall establish one of the following methods of evaluation:

- a) Final written or oral exam;
- b) Final written paper;
- c) Continuous evaluation (based on the work developed in class);

In the absence of an explicit adoption of one of these methods (addressed to the Post-Graduate Education Division) before the beginning of classes, evaluation is to be based on a final written or oral exam.

#### Demonstration of the coherence between the teaching methodologies and the learning outcomes

The course aims to lead students to master the legal and economic concepts that underpin competition law in action and to develop the ability to apply competition rules to real cases. Such competences shall be developed through active class participation in the discussion of selected essential court decisions that contribute to build a specialized



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knowledge of competition law. The main teaching material used will be my casebook, *Direito da Concorrência. Uma introdução jurisprudencial [Competition Law – An Introduction Through the Case-Law]*, 2nd ed., Lisboa: AAFDL 2017.. Cases will be assigned along the semester, using the US law schools case method.

Consolidation of the knowledge developed by students should be manifested in the ability to complete a short written comment on one of the cases analysed in class as well as in the written exam, where they will be asked to solve hypothetical cases.

#### Main Bibliography

BLASSELLE, Richard – *Traité de droit européen de la concurrence*, Tome I, Paris : Publisud, 2002

BISHOP, Simon ; WALKER, Michael – *The Economics of EC Competition Law*, 3d ed., London : Sweet & Maxwell, 2010

FAULL, Jonathan ; NIKPAY Ali (orgs.) – *The EU Law of Competition*, 3d ed., Oxford : Oxford Univ. Press, 2014.

IMMENGA, Ulrich; MESTMÄCKER, Ernst-Joachim, (orgs.) – *Wettbewerbsrecht EG – Kommentar zum Europäischen Kartellrecht*, 4th ed., 2 vols., Munique: C.H. Beck, 2007

KORAH, Valentine – *An Introductory Guide to EC Competition Law and Practice*, 9th ed., Oxford : Hart Publishing, 2007

MESTMÄCKER, Ernst-Joachim; SCHWEITZER, Heike – *Europäisches Wettbewerbsrecht*, 3d ed., Munique: Verlag C.H. Beck, 2014

MONTI, Giorgio – *Competition Law*, Cambridge : Cambridge Univ. Press, 2008

MOTTA, Massimo – *Competition Policy. Theory and Practice*, Cambridge : Cambridge Univ. Press, 2004

MOURA E SILVA, Miguel, *Direito da concorrência*, 2nd ed., Lisboa: AAFDL 2018

WHISH, Richard ; BAILEY, David – *Competition Law*, 9th ed., Oxford : Oxford Univ. Press, 2018

NOTE: this map can be filled in as many times as necessary to describe the different curricular units.