

tech monopoly

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antitrust

monopoly

- market share of a product above 60%
- market definition is crucial
- offensive monopoly & monopoly maintenance

antitrust

- prohibition of monopolization
 - market dominance
 - exclusionary practices
- regulation of competitive behavior

antitrust

US law

consti- tutional	criminal	civil	antitrust	...
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misconduct in tech

anticompetitive distribution & pricing

- predatory pricing is prohibited
- challenging to detect
 - two-sided markets
 - digitization

monopolization

- generally prohibited
- US: very narrow and prone to abuse
- EU: looks at all markets a company is active in

anticompetitive agreements

- horizontal (between competitors)
 - problematic, often prohibited
- vertical (between sellers and buyers)
 - rule of reason
 - tech ties
 - default rules



anticompetitive tech mergers

- integration effects
 - product improvement through acquiring new technology, intellectual property or talent
- exclusion effects
 - killer acquisitions
- can be challenged with proof of exclusion effects

remedies

current state

- injunctions & penalties
- structural breakups
- mandatory interoperability
- data portability

future suggestions

- interoperability encouragement
- reorganization in management

takeaway

- impact on everyday life and anticompetitive practices in big tech
- interoperability and management reorganization as promising countermeasures

discussion

Do you think antitrust should continue to focus primarily on economic factors or should it also be concerned with noneconomic factors such as ethics, ecology and politics?

scope

Earlier, we discussed tying arrangements, where multiple products or services are combined as a package, both as a possibility for innovation but also in order to exclude rivals. What properties of a product differentiate between these two in your opinion?

tying

After having read the book I am still unsure about how it relates to our study program. Do you see a connection between ctech and antitrust law or tech companies behaving anticompetitive? If not, also try to explain why?

ctech