

# Media Markets And Competition Law Multinational P

**Global Media and Communication Policy** P. Iosifidis.2011-08-26 Petros Iosifidis addresses an increasingly prominent subject area in the field of media and communications, and one that has attracted increased attention in areas such as sociology, economics, political science and law: global media policy and regulation. Specifically, he considers the wider social, political, economic and technological changes arising from the globalization of the communications industries and assesses their impact on matters of regulation and policy. By focusing on the convergence of the communication and media industries, he makes reference to the paradigmatic shift from a system based on the traditions of public service in broadcast and telecommunications delivery to one that is demarcated by commercialization, privatization and competition. In doing so, Iosifidis tackles a key question in the field: to what extent do new media developments require changes in regulatory philosophy and objectives. It considers the various possible meanings of the public interest concept in exploring the different regulatory modes and the interplay between the local and the global in policy-making.

*EU Competition Law, Data Protection and Online Platforms: Data as Essential Facility* Inge Graef.2016-10-17 All are agreed that the digital economy contributes to a dynamic evolution of markets and competition. Nonetheless, concerns are increasingly raised about the market dominance of a few key players. Because these companies hold the power to drive rivals out of business, regulators have begun to seek scope for competition enforcement in cases where companies claim that withholding data is needed to satisfy customers and cut costs. This book is the first focus on how competition law enforcement tools can be applied to refusals of dominant firms to give access data on online platforms such as search engines, social networks, and e-commerce platforms - commonly referred to as the 'gatekeepers' of the Internet. The question arises whether the denial of a dominant firm to grant competitors access to its data could constitute a 'refusal to deal' and lead to competition law liability under the so-called 'essential facilities doctrine', according to which firms need access to shared knowledge in order to be able to compete. A possible duty to share data with rivals also brings to the forefront the interaction of competition law with data protection legislation considering that the required information may include personal data of individuals. Building on the refusal to deal concept, and using a multidisciplinary approach, the analysis covers such issues and topics as the following: - data portability; - interoperability; - data as a competitive advantage or entry barrier in digital markets; - market definition and dominance with respect to data; - disruptive versus sustaining innovation; - role of intellectual property regimes; - economic trade-off in essential facilities cases; - relationship of competition enforcement with data protection law and - data-related competition concerns in merger cases. The author draws on a wealth of relevant material, including EU and US decision-making practice, case law, and policy documents, as well as economic and empirical literature on the link between competition and innovation. The book concludes with a proposed framework for the application of the essential facilities doctrine to potential forms of abuse of dominance relating to data. In addition, it makes suggestions as to how data protection interests can be integrated into competition policy. An invaluable contribution to ongoing academic and policy discussions about how data-related competition concerns should be addressed under competition law, the analysis clearly demonstrates how existing competition tools for market definition and assessment of dominance can be applied to online platforms. It will be of immeasurable value to the many jurists, business persons, and academics concerned with this very timely subject.

**Market definition and market power in the platform economy** Jens-Uwe Franck,Martin Peitz.2019-05-08 With the rise of digital platforms and

the natural tendency of markets involving platforms to become concentrated, competition authorities and courts are more frequently in a position to investigate and decide merger and abuse cases that involve platforms. This report provides guidance on how to define markets and on how to assess market power when dealing with two-sided platforms. DEFINITION Competition authorities and courts are well advised to uniformly use a multi-markets approach when defining markets in the context of two-sided platforms. The multi-markets approach is the more flexible instrument compared to the competing single-market approach that defines a single market for both sides of a platform, as the former naturally accounts for different substitution possibilities by the user groups on the two sides of the platform. While one might think of conditions under which a single-market approach could be feasible, the necessary conditions are so severe that it would only be applicable under rare circumstances. To fully appreciate business activities in platform markets from a competition law point of view, and to do justice to competition law's purpose, which is to protect consumer welfare, the legal concept of a "market" should not be interpreted as requiring a price to be paid by one party to the other. It is not sufficient to consider the activities on the "unpaid side" of the platform only indirectly by way of including them in the competition law analysis of the "paid side" of the platform. Such an approach would exclude certain activities and ensuing positive or negative effects on consumer welfare altogether from the radar of competition law. Instead, competition practice should recognize straightforwardly that there can be "markets" for products offered free of charge, i.e. without monetary consideration by those who receive the product. ASSESSMENT The application of competition law often requires an assessment of market power. Using market shares as indicators of market power, in addition to all the difficulties in standard markets, raises further issues for two-sided platforms. When calculating revenue shares, the only reasonable option is to use the sum of revenues on all sides of the platform. Then, such shares should not be interpreted as market shares as they are aggregated over two interdependent markets. Large revenue shares appear to be a meaningful indicator of market power if all undertakings under consideration serve the same sides. However, they are often not meaningful if undertakings active in the relevant markets follow different business models. Given potentially strong cross-group external effects, market shares are less apt in the context of two-sided platforms to indicate market power (or the lack of it). Barriers to entry are at the core of persistent market power and, thus, the entrenchment of incumbent platforms. They deserve careful examination by competition authorities. Barriers to entry may arise due to users' coordination failure in the presence of network effect. On two-sided platforms, users on both sides of the market have to coordinate their expectations. Barriers to entry are more likely to be present if an industry does not attract new users and if it does not undergo major technological change. Switching costs and network effects may go hand in hand: consumer switching costs sometimes depend on the number of platform users and, in this case, barriers to entry from consumer switching costs increase with platform size. Since market power is related to barriers to entry, the absence of entry attempts may be seen as an indication of market power. However, entry threats may arise from firms offering quite different services, as long as they provide a new home for users' attention and needs.

*Media, Markets, and Democracy* C. Edwin Baker.2001-11-05 Government interventions in media markets are often criticized for preventing audiences from getting the media products they want. A free press is often asserted to be essential for democracy. The first point is incorrect and the second is inadequate as a policy guide. Part I of this book shows that unique aspects of media products prevent markets from providing for audience desires. Part II shows that four prominent, but different, theories of democracy lead to different conceptions of good journalistic practice, media policy, and proper constitutional principles. Part II makes clear that the choice among democratic theories is crucial for understanding what should be meant by free press. Part III explores international free trade in media products. Contrary to the dominant American position, it shows that Parts I and II's economic and democratic theory justify deviations from free trade in media products.

**Competition and Investment in Telecommunications and Media Markets** Roberto Balmer.2014-01-20 This book reviews the economic

literature on cooperative investment in next generation broadband networks and geographic regulation. It additionally proposes innovative models for estimating the level of competition and investment in the fixed telephony market and the retail market for newspapers. In doing so, it addresses two hotly debated issues in business strategy and economic policy: the determinants of investment and competition and the impacts of innovative investment schemes. The first chapter reviews the literature on new cooperative investment schemes in next generation broadband networks and geographic regulation. The effects on competition, investment and welfare of such schemes crucially depend on the details of the agreements. For instance, in the case of joint-ventures, the manner in which investment costs are shared and internal and external access prices are determined significantly impacts the outcome. In the case of long-term access agreements, it is essential to consider how access tariffs are structured, whether they can adapt to market developments ex-post, and whether contracts are signed before or after the investment takes place. Generally, many of these agreements allow for some extent of risk sharing, offering the possibility of increasing investment incentives when firms are not risk neutral. It is suggested that regulators consider introducing regulated co-investment agreements complementing current regulation, in addition to considering geographically segmented access prices. The second chapter assesses entry and competition in local retail markets for newspapers. It builds on the new empirical industrial organisation (NEIO) literature to estimate sustainable coverage and competitive effects of entry for Swiss newspaper sellers which sell composite goods (newspapers, food and other goods of daily use). An entry threshold ratio methodology is used, allowing for model estimation even when the range of products under examination is not exactly defined and when price and quantity data are not available. It is found that under duopoly prices the market size of a Commune required for single firm entry is about twice as large as under monopoly prices. A clear and quantifiable trade-off between competition and investment therefore exists. Moreover, it is found that while a second entrant in this market strongly increases competition, further entry doesn't have a significant additional competitive effect. From a welfare perspective, therefore, it can be stated that "two is enough" to ensure competition in this market. In the third chapter, competition and market strategies in the Swiss fixed telephony market are assessed. A market model based on a generalised version of the traditional "dominant firm - competitive fringe" model, is developed. Direct estimation of the incumbent's intertemporal residual demand function is performed by instrumenting the market price with incumbent-specific cost shifting variables, as well as other variables. The concrete estimates show that residual retail demand for voice traffic is highly inelastic. Such a level of elasticity is only compatible with a profit maximising incumbent in the case of largely competitive conduct. It is therefore found that the Swiss incumbent acted largely competitively, and that current regulated telephony retail price caps could not be justified on the basis of a lack of competition.

*Handbook on the Economics of the Internet* Johannes M. Bauer, Michael Latzer. 2016-05-27 The Internet is connecting an increasing number of individuals, organizations, and devices into global networks of information flows. It is accelerating the dynamics of innovation in the digital economy, affecting the nature and intensity of competition, and enabling private companies, governments, and the non-profit sector to develop new business models. In this new ecosystem many of the theoretical assumptions and historical observations upon which economics rests are altered and need critical reassessment.

**Media Freedom and Pluralism** Beata Klimkiewicz. 2010-05-10 Addresses a critical analysis of major media policies in the European Union and Council of Europe at the period of profound changes affecting both media environments and use, as well as the logic of media policy-making and reconfiguration of traditional regulatory models. The analytical problem-related approach seems to better reflect a media policy process as an interrelated part of European integration, formation of European citizenship, and exercise of communication rights within the European communicative space. The question of normative expectations is to be compared in this case with media policy rationales, mechanisms of

implementation (transposing rules from EU to national levels), and outcomes.

*EU Competition Law and Regulation in the Converging Telecommunications, Media and IT Sectors* Nikos Th Nikolidakos.2006-01-01 This book presents the most thoroughgoing model yet offered to ensure the emergence of a genuinely competitive electronic communications industry in Europe. In the course of its in-depth analysis the discussion focuses on such factors as the following: EU telecommunications policy as revealed in liberalization and harmonization legislative measures; the EU electronic communications framework; case law covering issues of refusal to supply and the essential facilities doctrine; application of Article 82 EC to bottlenecks; specific types of an undertakings unilateral behaviour that may often occupy NRAs and competition authorities in the context of their ex post competition law investigations under Article 82 EC; strategic alliances and mergers in the move toward multimedia; access to premium content and the emergence of new media; the scope of content regulation in the online environment; and broadband (regulation of local loop unbundling and bitstream access). The book also provides practical guidance on issues concerning the complicated market definition and analysis mechanism promulgated by the European Commission's Recommendation and Guidelines.

**The International Encyclopedia of Political Communication, 3 Volume Set** Gianpietro Mazzoleni, Kevin G. Barnhurst, Ken'ichi Ikeda, Rousiley C. M. Maia, Hartmut Wessler.2015-12-14 The International Encyclopedia of Political Communication is the definitive single-source reference work on the subject, with state-of-the-art and in-depth scholarly reflection on the key issues within political communication from leading international experts. It is available both online and in print. Explores pertinent/salient topics within political science, sociology, psychology, communication and many other disciplines Theory, empirical research and academic as well as professional debate are widely covered in this truly international and comparative work Provides clear definitions and explanations which are both cross-national and cross-disciplinary by nature Offers an unprecedented level of authority, accuracy and balance, with contributions from leading international experts in their associated fields Part of The Wiley Blackwell-ICA International Encyclopedias of Communication series, published in conjunction with the International Communication Association. Online version available at Wiley Online Library Named Outstanding Academic Title of 2016 by Choice Magazine, a publication of the American Library Association

**Handbook of the Economics of Art and Culture** .2013-09-16 This volume emphasizes the economic aspects of art and culture, a relatively new field that poses inherent problems for economics, with its quantitative concepts and tools. Building bridges across disciplines such as management, art history, art philosophy, sociology, and law, editors Victor Ginsburgh and David Throsby assemble chapters that yield new perspectives on the supply and demand for artistic services, the contribution of the arts sector to the economy, and the roles that public policies play. With its focus on culture rather than the arts, Ginsburgh and Throsby bring new clarity and definition to this rapidly growing area. Presents coherent summaries of major research in art and culture, a field that is inherently difficult to characterize with finance tools and concepts Offers a rigorous description that avoids common problems associated with art and culture scholarship Makes details about the economics of art and culture accessible to scholars in fields outside economics

**Global Perspectives on Press Regulation, Volume 2** Paul Wragg, András Koltay.2024-02-22 In this ground-breaking two-volume set, world-leading experts produce a rich, authoritative depiction of the world's press, its freedom, and its limits. We want press freedom but we also want freedom from the press. A powerful press may expose corrupt government or aid it. It may champion citizens or unfairly attack them. A vulnerable press may lack supporters and succumb to conformity. It may resist, and overcome tyranny. According to common belief, press freedom involves social responsibilities to equip public debate and render government transparent. Is this attitude valid given that the press is usually a private, commercial actor? Globally, the health, authority, and viability of the press varies dramatically. These patterns do not conform to traditional divisions between North and South, East and West. Instead, they are much more complex. How do we measure successful press regulation? What concessions can the

state and/or society demand of the press? What constitutes the irreducible core of press freedom? The contributions in Volume 1 look at key jurisdictions in Europe; whereas Volume 2 goes beyond Europe to analyse the situation in key jurisdictions in Asia, Africa, the Americas and Oceania. Each volume can be used independently or as part of the complete set. This work will be incredibly valuable to policy makers and academics who seek to capture the global picture for the purposes of effecting change.

**Social Media and Democracy** Nathaniel Persily, Joshua A. Tucker. 2020-09-03 A state-of-the-art account of what we know and do not know about the effects of digital technology on democracy.

European Media Stylianos Papathanassopoulos, Ralph M. Negrine. 2013-05-31 European Media provides a clear, concise account of the structures, dynamics and realities of the changing face of media in Europe. It offers a timely and illuminating appraisal of the issues surrounding the development of new media in Europe and explores debates about the role of the media in the formation of a European public sphere and a European identity. The book argues that Europe offers an ideal context for examining interactions between global, regional and national media processes and its individual chapters consider: the changing structure of the European media; the development of new media; the Europeanization of the media in the region; the challenges for the content; and audiences. Special emphasis is given to the transformation of political communication in Europe and the alleged emergence of a European public sphere and identity. European Media: Structures, Politics and Identity is an invaluable text for courses on media and international studies as well as courses dealing with European and national policy studies. It is also helpful to students, researchers and professionals in the media sector since it combines hard facts with theoretical insight.

**Competition Policy** Massimo Motta. 2004-01-12 This is the first book to provide a systematic treatment of the economics of antitrust (or competition policy) in a global context. It draws on the literature of industrial organisation and on original analyses to deal with such important issues as cartels, joint-ventures, mergers, vertical contracts, predatory pricing, exclusionary practices, and price discrimination, and to formulate policy implications on these issues. The interaction between theory and practice is one of the main features of the book, which contains frequent references to competition policy cases and a few fully developed case studies. The treatment is written to appeal to practitioners and students, to lawyers and economists. It is not only a textbook in economics for first year graduate or advanced undergraduate courses, but also a book for all those who wish to understand competition issues in a clear and rigorous way. Exercises and some solved problems are provided.

**European Media Law** Oliver Castendyk, E. J. Dommering, Alexander Scheuer. 2008-01-01 Supplies an in-depth commentary on EU media law, with detailed analysis of all important legislation and court decisions. It leads European lawyers with vast knowledge and practical experience of media law provide detailed expert commentary.

Populism and Antitrust Maciej Bernatt. 2022-02-24 Populism and Antitrust examines the influence of populism on competition law and shows how populism can lead to illiberal changes.

*Organizational Change in the Global Media Markets* Dominik Dreyer. 2003-05-05 Inhaltsangabe: Abstract: The global media industry has been subject to radical changes in its structure in recent years. International media companies have reached a dominant position in the global media markets through an enormous wave of mergers. Since the year 2000 the three biggest ever media mergers have taken place. AOL merged with Time Warner, Vivendi agreed on a merger with the Seagram Company and Canal+ and Viacom acquired the CBS Corporation. In 2001 the six biggest media conglomerates - AOL Time Warner, Walt Disney, Vivendi Universal, Viacom, Bertelsmann and News Corporation - alone generated revenues of \$160 billion in comparison to aggregate revenues of \$415 billion obtained by the Top 50 media companies. This development was triggered by radical changes in the US - Federal Communications Commission's (FCC) regulation policy. Though it is the change in the FCC's deregulation policy which

made the wave of mergers possible to start off with, the reasons why companies actually merged were more complex. The headwords dominating most corporate growth strategies at that time were convergence, synergy and need for large scale. Looking at the assessments of media mergers and corporate strategies published by the press and investment analysts one notices that they underlie a certain tendency towards unanimous and trend affected formation of opinion. While in 1999 the idea of convergence was embraced and denominated as one of the biggest opportunities for media companies ever, in 2002 the ratings and assessments of companies which tried to obtain first mover advantage in the newly emerging converged market were principally critical. At large, these judgments correlated to a very high degree with the rise and downturn of the new economy. Accordingly, some of the executives, who pressed ahead with the idea of convergence and spurred on mergers in order to achieve synergies, like Mr. Middelhoff (former CEO of Bertelsmann), Mr. Messier (former CEO of Vivendi Universal) and recently Mr. Case (former chairman of AOL Time Warner) had to vacate their positions. Yet some business leaders are beginning to break up the fully integrated media groups that emanated from these mergers. This change in corporate strategies and in the assessment of media mergers brings up the following question: Is it that a fundamental change in the business environment has occurred? And did this change make the economic motives which not long ago underlay the wave of [...]

Competition Law and Regulation of Technology Markets Kevin Coates.2011-04-07 Competition Law and Regulation of Technology Markets takes a practical,integrated approach to EU and US competition law and regulation in the technology sector - including major trans-Atlantic cases such as Microsoft, Google/DoubleClick, and Intel, and important comparative issues such as refusal to supply (Microsoft, Trinko), margin squeeze (Deutsche Telekom, Telefonica, EU Guidance Paper, Linkline), communications regulation and data protection.

*Media Ownership and Control* Suzanne Rab,Alison Sprague.2014

**The Evolution of Antitrust in the Digital Era** David S. Evans.2020-10-15 This collection of essays represents the first in a series of two volumes that set out to reflect the state of the art of antitrust thinking in digital markets in jurisdictions around the world.The issues it tackles are many: the role of innovation, the conundrum of big data, the evolution of media markets, and the question of whether existing antitrust tools are sufficient to deal with the challenges of digital markets. Each author tackles the overarching themes from their unique national perspective. The resulting tapestry reflects the challenges and opportunities presented by the modern digital era, viewed through the lens of competition enforcement.

**The Political Economy of Television Sports Rights** T. Evens,P. Iosifidis,P. Smith.2013-08-27 Sport on television is big business, but it is about more than just commerce. Using a range of national case studies from Europe and beyond, this book analyses the political, economic, social and regulatory issues raised in relation to the buying and selling of television sports rights.

European and International Media Law Jan Oster.2017 This unique textbook offers a comprehensive overview of European and international media law, and how globalised communication has shaped it.

*Digital Peripheries* Petr Szczepanik,Pavel Zahrádka,Jakub Macek,Paul Stepan.2020-05-16 This is an open access book. Media industry research and EU policymaking are predominantly tailored to large (and, in the latter case, Western) European markets. This open access book addresses the specific qualities of smaller media markets, highlighting their vulnerability to global digital competition and outlining survival strategies for them. New online distribution models and new trends in the consumption of audiovisual content are limited by, and pose new challenges for, existing audiovisual business models and their legal framework in the EU. The European Commission's Digital Single Market (DSM) strategy, which was intended e.g. to remove obstacles to the cross-border distribution of audiovisual content, has triggered a heated debate on the transformation of the existing ecosystem for European screen industries. While most current discussions focus on the United States, Western Europe, and the multinational

giants, this book approaches these industry trends and policy questions from the perspective of relatively small and peripheral (in terms of their population, language, cross-border cultural flows, and financial and/or symbolic capital) media markets.

**Remedies in Network Industries** Damien Geradin.2004 Over the last decade, the European Union has undertaken major market-opening reforms in the area of network industries. The liberalization process has now been completed in the air transport and electronic communications sectors and has achieved considerable progress in other network industries, such as postal services, energy (electricity and gas), and rail transport. Creating competition in network industries is not an easy matter, however. Because they benefit from certain advantages such as a large initial market share and control of essential facilities, incumbents typically retain substantial market power in a number of relevant markets and may even use their position to prevent others from engineering such markets. Controlling market power is thus one of a number of key concerns in network industries. It can be achieved in two main ways; either through the adoption and implementation of sector-specific rules or through the application of competition rules. There are advantages and disadvantages to both options, but it is a combination of the two that generally prevents incumbents from abusing their market power in liberalized markets. Competition law and sector-specific regulation provide for the application of remedies on incumbents or other operators holding significant market power. Such remedies are either structural or a behavioural. In some occasions they will apply ex ante, while in others ex post. This book comprises a collection of outstanding essays dealing with the complex legal and economic issues raised by remedies in network industries. While some of these essays analyse remedies from a generic point of view, others focus on specific remedies applied specifically in particular sectors. The sectors covered in this volume include electronic communications, postal services, energy (electricity and gas), and air transport. The final paper also presents a discussion of the United States approach to remedies in network industries. The essays comprised in this book have been written by leading academics (lawyers and economists), as well as private practitioners.

**The European Union and the Regulation of Media Markets** Alison Harcourt.2005 National broadcasting and press regulation is undergoing a process of convergence in Europe. This book, newly available in paperback, explains how this process has been shaped by the actions of the European Union (EU) institutions. Alison Harcourt observes that whilst communications is one of the EU's most successful policy areas, European decision-making is eroding the national capacity to regulate for the public interest. European-level efforts to protect public interest goals have been constrained by the European Treaties. The author argues that increased European coordination in public interest regulation could be more conducive to growth and competitiveness than the dismantling of existing national laws. This, however, would require changes to the political composition of the European Union. This book assesses the potential EU media regulation provides for market growth and the protection of media pluralism, the citizen and ultimately democracy itself. These opportunities are presented in the coming decade with the developing European Constitution, EU enlargement, and the implementation and revision of European regulation.

**Media Pluralism and European Law** Ewa Komorek.2012-12-01 Although there appears to be no firm legal basis in the Treaties for EU legislative action aimed specifically at protecting media pluralism, this book opens a number of promising avenues along which a viable legal regime protecting media pluralism may be achieved in the EU. With particular focus on broadcasting, the book examines existing (albeit fragmented) legislative and regulatory measures in competition law and other areas that contribute to this goal, and sets forth ways to strengthen monitoring and transparency, generate 'soft law with hard statements', introduce a 'pluralism test' in the EU Merger Regulation, promote more public service media, and foster media literacy. Among many other issues arising in the course of the discussion, the author describes and elucidates the following: various types of integration of media companies and the different ways they affect pluralism and diversity; limitations of must-carry rules and principles of interoperability; the diverging priorities of different European organizations, institutions and bodies; and contradictory lobbying efforts from industry

actors. The author places herself on the culture side of the culture/commodity dilemma, showing why it is vital for regulators to preserve media pluralism by counteracting excessive media concentration and safeguarding quality and diversity of content. In this era which is transforming media and communications industries worldwide, with an ever-increasing plethora of delivery means without respect to national borders, this book is an essential resource for regulators and other concerned policymakers, as well as for lawyers working with any aspect of media.

**Communications and Competition Law** Fabrizio Cugia di Sant'Orsola, Fabrizio Cugia, Rehman Noormohamed, Denis Alves Guimarães. 2014-12  
Introducing Diversity in EU Merger Control /Yvan Desmedt & Philippe Laconte --Summary of Recent U.S. Enforcement Decisions in Communication/Entertainment Industry Transactions /Ilene Knable Gotts --Competition and Regulatory Aspects of Convergence, Takeovers and Mergers in the Communications and Media Industries /Thomas Janssens & Joep Wolfhagen --Brazil's Antitrust and Regulatory Reviews of TIM/Telefónica: Lessons Learned /Ana Paula Martinez & Alexandre Ditzel Faraco --Changes in the Global Telecommunication Market and Its Implications in Brazil /Gesner Oliveira & Wagner Heibel --Mergers in the Canadian Communications Sector: An Increasingly Curious Situation /Lorne Salzman --In Search of a Competition Doctrine for Information Technology Markets: Recent Antitrust Developments in the Online Sector /Jeffrey A. Eisenach & Ilene Knable Gotts --The Internet of Things in the Light of Digitalization and Increased Media Convergence /Anna Blume Huttenlauch & Thoralf Knuth --Dynamic Markets and Competition Policy /Bernardo Macedo & Sílvia Fagá de Almeida --Recent Antitrust Developments in the Online Sector/ Federico Marini-Balestra --Mobile Payments and Mobile Banking in Brazil: Perspectives from an Emerging Market /Márcio Issao Nakane, Camila Yumy Saito & Mariana Oliveira e Silva --Internet of Things: Manufacturing Companies Industry and Use of 'White Spectrum': Ghost in the Machine? /Kurt Tiam & Andy Huang --Competitive Aspects of Cloud-Based Services /Fabrizio Cugia di Sant'Orsola & Silvia Giampaolo --Standard-Essential Patents and US Antitrust Law: Light at the End of the Tunnel? /Leon B. Greenfield, Hartmut Schneider & Perry A. Lange --IP and Antitrust: Recent Developments in EU Law /Miguel Rato & Mark English --Antitrust Cases Involving Intellectual Property Rights in the Communication and Media Sector in Brazil /Barbara Rosenberg, Luis Bernardo Cascão & Vivian Terng --Patents Meet Antitrust Law: The State of Play of the FRAND Defense in Germany /Wolrad Prinz zu Waldeck und Pyrmont --The Role of Privacy in a Changing World /Chris Boam --The Transatlantic Perspective: Data Protection and Competition Law /Pamela Jones Harbour --Power over Data: Brazil in Times of Digital Uncertainty /Floriano de Azevedo Marques Neto, Milene Louise Renée Coscione & Juliana Deguirmendjian --Big Data and the Cloud: Privacy and Security Threats of Mass Digital Surveillance? /Lyda Mastrantonio & Natalia Porto --Net Neutrality Regulation: A Worldwide Overview and the Chilean Pioneer's Experience /Alfonso Silva & Sebastian Squella --Net Neutrality in Singapore: A Fair Game /Chung Nian Lam --Internet Regulation in Brazil: The Network Neutrality Issue /Lauro Celidonio Gomes dos Reis Neto, Fabio Ferreira Kujawski & Thays Castaldi Gentil --The New Brazilian Internet Constitution and the Netmundial Forum /João Moura --The Brazilian Telecom Regulatory Scenario and the Proposals of the Internet Law /Regina Ribeiro do Valle --Competition in the Brazilian Telecommunication Market /rMaximiliano Martinhão, Guido Lorencini Schuina, Haitam Laboissiere Naser & Leonardo Fernandez Zago --A New Horizon for Competition Advocacy in Brazil /Adriano Augusto do Couto Costa, Marcelo de Matos Ramos & Roberto Domingos Taufick --Overlaps and Synergies between Regulators in the Brazilian Telecommunications Market /Marcelo Bechara de Souza Hobaika & Carlos M. Baigorri --The New Competition Law in Brazil and the New Framework for Merger Analysis in Telecom /Carlos Emmanuel Joppert Ragazzo & Cristiane Landerdahl de Albuquerque --Chapter 31: Regulatory Policy Round Table: A Dialogue between Telecommunications and Antitrust Authorities /Denis Alves Guimarães.

Big Data and Competition Law Alptekin Koksal. 2023-11-13 Recent studies on competition law and digital markets reveal that accumulating personal information through data collection and acquisition methods benefits consumers considerably. Free of charge, fast and personalised services and



products are offered to consumers online. Collected data is now an indispensable part of online businesses to the point that a new economy, a data-driven sector, has emerged. Many markets such as the social network, search engine, online advertising and e-commerce are regarded as data-driven markets in which the utilisation of Big Data is a requisite for the success of operations. However, the accumulation and use of data brings competition law concerns as they contribute to market power in the online world, resulting in a few technology giants gaining unprecedented market power due to the Big Data accumulation, indirect network effects and the creation of online ecosystems. As technology giants have billions of consumers worldwide, data-driven markets are truly global. In these data-driven markets, technology giants abuse their dominant positions, but existing competition law tools seem ineffective in addressing market power and assessing abusive behaviour related to Big Data. This book argues that a novel approach to the data-driven sector must be developed through the application of competition law rules to address this. It argues that current and potential conflicts can be mitigated by extending the competition law assessment beyond the current competition law tools to offer a modernised and unified approach to the Big Data-related competition issues. Promoting new legal tests for addressing the market power of technology giants and assessing abusive behaviour in data-driven markets, this book advocates for cooperation between competition and data protection authorities. It will be of interest to students, academics and practitioners with an interest in competition law and data protection.

*Codifying Cyberspace* Damian Tambini, Danilo Leonardi, Christopher T. Marsden. 2008 An examination of how self-regulation works (or doesn't work) in practice, in a variety of countries, as well as the problems of balancing private censorship against fundamental rights to freedom of expression and privacy for media users.

*Global Competition* .2010 A key factor in the emerging relationship between law and economic globalization is how global competition now shapes economies and societies. Competition law is provided by those players that have sufficient 'power' to apply their laws transnationally. This text examines this controversial aspect of globalization.

*Competition Law and Economic Regulation* Niamh Dunne. 2015-03-26 Niamh Dunne undertakes a systematic exploration of the relationship between competition law and economic regulation as legal mechanisms of market control. Beginning from a theoretical assessment of these legal instruments as discrete mechanisms, the author goes on to address numerous facets of the substantive interrelationship between competition law and economic regulation. She considers, amongst other aspects, the concept of regulatory competition law; deregulation, liberalisation and 'regulation for competition'; the concurrent application of competition law in regulated markets; and relevant institutional aspects including market study procedures, the distribution of enforcement powers between competition agencies and sector regulators, and certain legal powers that demonstrate a 'hybridised' quality lying between competition law and economic regulation. Throughout her assessment, Dunne identifies and explores recurrent considerations that inform and shape the optimal relationship between these legal mechanisms within any jurisdiction.

**Media Markets and Competition Law** David Sparks Evans, Antonio Bavasso, Douglas H. Ginsburg. 2019-09-20 This book is a selection of 14 brief essays designed to provide a multinational perspective on the current state, and future, of competition law in media markets. Whether it pertains to platform markets, crypto-currencies, or newspaper mergers, the reality is that antitrust enforcement has turned its collective eye towards the global economy's media markets. It highlights the different regulatory approaches and various issues relating to the application of competition law to media markets.

*International Antitrust Law & Policy: Fordham Competition Law 2012* Barry E. Hawk. 2013-02-01 This volume contains articles and panel discussions delivered during the Thirty-Ninth Annual Fordham Competition Law Institute Conference on International Antitrust Law & Policy. About the Proceedings: Every October the Fordham Competition Law Institute brings together leading figures from governmental organizations, leading

international law firms and corporations and academia to examine and analyze the most important issues in international antitrust and trade policy of the United States, the EU and the world. This work is the most definitive and comprehensive annual analysis of international antitrust law and policy available anywhere. The chapters are revised and updated before publication, where necessary. As a result, the reader receives up-to-date practical tips and important analyses of difficult policy issues. The annual volumes are an indispensable guide through the sea of international antitrust law. The Fordham Competition Law Proceedings are acknowledged as simply the most definitive US/EC annual analyses of antitrust/competition law published. Each annual edition sets out to explore and analyze the areas of antitrust/competition law that have had the most impact in that year. Recent hot topics include antitrust enforcement in Asia, Latin America: competition enforcement in the areas of telecommunications, media and information technology. All of the chapters raise questions of policy or discuss new developments and assess their significance and impact on antitrust and trade policy.

*Promoting Competition in Innovation Through Merger Control in the ICT Sector* Kalpana Tyagi.2019-06-21 This book addresses the question of how competition authorities assess mergers in the Information Communication Technology (ICT) sector so as to promote competition in innovation. A closer look at the question reveals that it is far more complex and difficult to answer for the ICT, telecommunications and multi-sided platform (MSP) economy than for more traditional sectors of the economy. This has led many scholars to re-think and question whether the current merger control framework is suitable for the ICT sector, which is often also referred to as the new economy. The book pursues an interdisciplinary approach combining insights from law, economics and corporate strategy. Further, it has a comparative dimension, as it discusses the practices of the US, the EU and, wherever relevant, of other competition authorities from around the globe. Considering that the research was conducted in the EU, the practices of the European Commission remain a key aspect of the content. Considering its normative dimension, the book concentrates on the substantive aspects of merger control. To facilitate a better understanding of the most important points, the book also offers a brief overview of the procedural aspects of merger control in the EU, the US and the UK, and discusses recent amendments to Austrian and German law regarding the notification threshold. Given its scope, the book offers an invaluable guide for competition law scholars, practitioners in the field, and competition authorities worldwide.

*The Handbook of Global Media and Communication Policy* Robin Mansell, Marc Raboy.2014-03-03 The Handbook of Global Media and Communication Policy offers insights into the boundaries of this field of study, assesses why it is important, who is affected, and with what political, economic, social and cultural consequences. Provides the most up to date and comprehensive collection of essays from top scholars in the field Includes contributions from western and eastern Europe, North and Central America, Africa and Asia Offers new conceptual frameworks and new methodologies for mapping the contours of emergent global media and communication policy Draws on theory and empirical research to offer multiple perspectives on the local, national, regional and global forums in which policy debate occurs

**European and International Media Law** Perry Keller.2011-05-12 European and International Media Law considers the rapidly changing relationship between the media and the liberal democratic state. It explores key contemporary media issues and captures the extraordinary impact of the liberal media model on European and international law as well as exploring its profound weaknesses.

**Natural Monopolies in Digital Platform Markets** Francesco Ducci.2020-07-23 Through three case studies, this book investigates whether digital industries are naturally monopolistic and evaluates policy approaches to market power.

Media Regulation, Public Interest and the Law Mike Feintuck.2006-07-10 Regulation of the media has traditionally been premised upon claims of 'the public interest', yet the term itself remains contested and generally ill defined. In the context of technological development and convergence, as well

as corporate conglomeration, traditional 'public service' values in British broadcasting are challenged by market values. With such ongoing trends continuing apace, regulators must increasingly justify their interventions. The communication industries' commercialisation and privatisation pose a fundamental threat to democratic values. Media Regulation, Public Interest and the Law argues that regulators will only successfully protect such values if claims associated with 'citizenship' are recognised as the rationale and objective for the regulatory endeavour. While such themes are central to the book, this second edition has been substantially revised and updated, to take account of matters such as European Directives, the UK's Communications Act 2003, the process of reviewing the BBC's Charter, and relevant aspects of the reform of general competition law. Key Features\*Identifies and examines the rationales underlying media regulation and the current challenges to them.\*Considers fully the actual and potential utility of legal mechanisms and principles in the design and activities of regulatory institutions.\*Fully updated to take account of the European Union's 2002 New Regulatory Framework and the UK's Communications Act 2003.\*Accessible to a wide readership in media studies, journalism, broadcasting and law. Praise for the First Edition'quote'A detailed and critical assessment of the problems and confusions of recent media regulation in the UK including digital television franchising and the Broadcasting Complaints Commission... it is well organised, and should be a useful resource for more advanced students and academics...for updating the public regulation case with vigour and clarity this book is to be welcomed.&quote;THES

*The Role of Media Pluralism in the Enforcement of EU Competition Law* Konstantina Bania. 2015 EU Competition Law is generally believed to play a negligible role in protecting media pluralism. Three arguments are usually put forward to support this position. First, the application of EU competition law ensures market access, thereby potentially delivering an outcome that is of benefit to media pluralism, but this outcome is entirely dependent on the economic concerns the European Commission attempts to address in each individual case and hence (at best) coincidental. Second, precisely because it is driven by efficiency considerations, EU competition law is incapable of grasping the qualitative dimension of media pluralism. Third, when exercising State aid control, the Commission can (and must) play only a marginal role in the planning and implementation of aid measures aimed at promoting media pluralism. This thesis puts forward the claim that EU competition law has potential that remains unexplored by questioning the accuracy of the above three assumptions. To test this claim, it examines a number of traditional and new media markets (broadcasting, print and digital publishing, online search, and news aggregation) and competition law issues (concentrations, resale price maintenance agreements, online agencies, abuses of dominance, and State aids to public service media). The study demonstrates that if relevant assessments are conducted properly, that is, by duly taking account of the dimensions that drive competition in the media, including quality, variety and originality, and by making appropriate use of the tools provided by the applicable legal framework, EU competition law may go a long way towards safeguarding media pluralism without the need to stretch the limits of the Treaty on the Functioning of the European Union. Amidst a deregulatory trend towards the media and given that the likelihood that action with far-reaching implications under other branches of EU law is low, the normative suggestions put forward in this thesis possibly form the only realistic proposal on the contribution the EU can make to the protection of pluralism.

*Media Markets and Competition Law* David S. Evans. 2019-09-16 This book, *Media Markets and Competition Law: Multinational Perspectives*, published by Competition Policy International, in partnership with the Antitrust & Public Policy Review (formerly, Italian Antitrust Review), is a selection of 14 brief essays designed to provide a multinational perspective on the current state, and future, of competition law in media markets. This book builds on the contributions made for the Jevons Institute Colloquium on Future Perspectives on Media Markets, held in Rome on May 22, 2018. Whether it pertains to platform markets, crypto-currencies, or newspaper mergers, the reality is that antitrust enforcement has turned its

collective eye towards the global economy's media markets. By highlighting the different regulatory approaches and various issues relating to the application of competition law to media markets in the United States, the European Union, and Australia, this book offers profound insights for practitioners and academics seeking to better understand the nature of competition in the evolving area of media markets. By providing a wide-spectrum of analysis, this book constitutes a useful tool to not only interpret, but to potentially predict, the current and forthcoming application and direction of competition law in media markets in the United States, the European Union, and other jurisdictions worldwide.

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