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[International Business Law \(International Trade Degree-ULE\). Lesson 3 \(Schedule to parts 1,2,3,4\). Notes IBL](#)

Compulsory readings and materials for 2nd-year Students of University of Leon's International Trade Bachelor Degree (IBL). This lesson is dedicated mainly to the EU Legal System, notwithstanding some references to International Law and Spanish National Law.

LESSON 3.- REGULATION OF COMPETITION IN THE MARKETPLACE

Summary:

1. Free Competition Law.
 - 1.1 (Prohibited) Agreements
 - 1.2 Abuse of dominant position
 - 1.3 Concentrations
 - 1.4 State Aid
2. Unfair Competition Law.
 - 2.1 General Clause
 - 2.2 Specific Clauses

Trad: B Valle

Here you find an INTRODUCTION and then please click to the next slides:



King Alfonso V of
León

Introduction to Competition Law

Markets, where mutually independent businesses engage in the same activity and enter the fray to attract consumers, are markets that operate as FREE MARKETS.

In free markets, each business is subject to competitive pressure from the others. The effective and fair competition gives businesses a **level playing field** and it also confers many benefits on consumers (lower prices, better quality, wider choice, etc.).

Free and Fair Competition Laws are at the heart of Commercial Law in Western Legal Systems.

- **Please note:**

- When dealing with Competition, the Law acknowledges that **some practices can affect some geographical zones, but not others, and vice-versa. So, obstacles to Free Competition and Unfair Commercial Practices can affect a Region, a Country, a Continent, or the whole World!!**. Such circumstances imply that the legal applicable systems, the supervisory Institutions, and the competent courts can be regional, national, European and international, depending on the scope and the consequences of each barrier and /or conduct.
- Notwithstanding the above, *Free and Fair Competition Law and Systems allow for some monopolistic situations*, for instance in the fields of Patent Law, Trademarks Law, and other regulated matters where competition is somehow restricted. However, **such accepted obstacles to free competition are limited by the Law: they must be construed and interpreted as exceptions.**

- COMPETITION LAW can be divided into two great and general sections: *Free Competition Law*, and *Unfair Competition Law*
 1. **Free Competition**, is the perspective of Competition Law especially related to public interests in trade and business. In this sense, Free Competition amounts to *creating and maintaining free markets to pursue general economic development*.
 - Within Free Competition we find:
 - A. Antitrust Law, (**Agreements and practices against Free Competition**, as well as **Control over abuse of Dominant Positions**);
 - B. also **Mergers'** control Law,
 - C. and **State Aids'** control Law.
 2. **Unfair Competition** is a perspective that, taking into account general interest of the economy, it is rather centred on the relationship among private business, companies, etc, in the markets and also *vis à vis* business and consumers.

MORE IN THIS LESSON:

- [Lesson 3. Free competition law. \(I\) \(Antitrust\)](#)
- [Lesson 3. Free competition law. \(II\) \(Concentrations\)](#)
- [Lesson 3. Free Competition Law \(III\). \(State Aid\)](#)
- [Lesson 3. Unfair Competition](#)