

8 MAY 2023

NATIONAL LAW UNIVERSITY JODHPUR
End Term Examination May-2023
Semester – UG VIII Semester (Business Law Honours)
Subject: Competition Law

Time: 3 hours

Marks: 100

Instructions:

- i. *All the questions carry equal marks.*
 - ii. *Answer any five out of the six questions.*
 - iii. *Please substantiate your statement(s)/argument(s) with relevant case laws, whenever necessary.*
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Q.1). Write short notes on:

(Marks 10*2)

- (a) Per Se Rule
- (b) Data Portability and Competition Law

Q.2) Critically analyse the doctrine of Essential facility with judicial pronouncements. Can this doctrine be applied to the competent and interested competitor in the preparation of Covid Vaccine, if neither this vaccine nor the process for it is patented? Justify your answer.

(Marks 20)

Q.3) Examine copiously the 'doctrine of appreciable adverse on competition' with the help of case laws.

Marks 20)

Q.4). Give a detailed analysis of the Merger Control Regime under Competition Act, 2002. In furtherance of the same, please analyse and comment on the curious situation regarding the element of 'Control' and Composite Combinations under Section 5 of the Competition Act, 2002.

(Marks 20)

Q.5) Analyse the provisions relating to abuse of dominance under the Competition Act, of 2002. Additionally, critically analyse the approach of the Competition Commission of India regarding the abuse of dominance in the e-commerce market and digital platforms.

(20 marks)

Q.6) Explain Bid Rigging and collusive bidding in the light of applicable sections under the Competition Act, 2002.

(Marks 20)