

JAEN40, Competition Law Dynamics, 15 credits
Konkurrenslagstiftningens dynamik, 15 högskolepoäng
Second Cycle / Avancerad nivå

Details of approval

The syllabus was approved by Faculty of Law Board of education at undergraduate and postgraduate levels on 2012-10-03 and was last revised on 2012-10-03 by Educational Committee of the Law Faculty Board. The revised syllabus applies from 2012-10-03, autumn semester 2012.

General Information

The course Competition Law Dynamics is an optional course within the Master's Programme in European Business Law at the Faculty of Law. The course is open to students on the programme leading to a Swedish Professional Law degree and who follow the Master's Programme in European Business Law in their studies at advanced level. The course is scheduled to require 10 weeks of full-time studies.

Language of instruction: English

Lectures and course materials are in English.

Main field of studies

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Depth of study relative to the degree requirements

A1F, Second cycle, has second-cycle course/s as entry requirements

Learning outcomes

The course is a follow up course on EU Competition Law (JAEN33) and the aim is to enable students to apply EU and international competition and IPR principles in a practical setting.

Knowledge and understanding

To pass the exam the student shall:

- show a solid understanding of EU and international competition law principles and how they are applied on the regional and global level;
- show an understanding of how competition law and IPR interact in concrete cases
- show an understanding how these principles apply in concrete fields like medicinal law and information technology.

Competence and skills

To pass the exam the student shall show a good ability to:

- master a wide range of diverse sources of legislation, case law and doctrine in European and international competition law
- uncover practical solutions in the application of Competition and IPR Law principles
- assess legal and economic issues in relation to Competition and IPR Law principles
- discuss and give suggestions on special competition and IPR law aspects.

Judgement and approach

Students shall train inter-disciplinary working methods with colleagues from different cultural backgrounds and of the opposite gender. They shall simultaneously perform independent investigation and take full responsibility for the development of their own knowledge in an objective, but critical manner.

To pass the examination the students shall be able to consider and discuss social and ethical responsibilities within a commercial environment and make personal judgments based on these reflections.

Course content

The course includes a review of European and international Competition and IPR law – its economic basis, material contents and current development. The course attaches great importance to the case law of the Union Courts and the EU Commission. Focus will be on technology licensing in an international context in high-technology markets. The intersection between competition law and intellectual property law is at the forefront.

Course design

Teaching is provided in the form of lectures, seminars and field trips. Apart from the assigned literature, the course requires individual literature studies.

In order to pass, students are required to meet 80% attendance on the course.

Assessment

Examination will take the form of a paper assignment. Grading will be based on active participation and recurring presentations in lectures and seminars (50% of the grade) and the written assignment (50% of the grade).

Subcourses that are part of this course can be found in an appendix at the end of this document.

Grades

Marking scale: Fail, Pass, Pass with credit, Pass with distinction.

All grading criteria rest on the baseline set up for the grade B. Criteria for the grade BA are additional to those for the grade B. Criteria for the grade AB are additional to those for the grade BA. Each grade criterion consists of a qualitative and a quantitative dimension. To be awarded a specific grade, the grade criterion must be satisfied in its qualitative as well as its quantitative dimension.

Grading criteria are applied to all dimensions listed as "Learning outcomes" in this syllabus. By way of example, an AB would presuppose that the student's examination reflect her or his mastery with regard to knowledge and understanding, skills and abilities and values and attitudes as laid down in the syllabus as "learning outcomes". Grading is done primarily using Qualitative and Quantitative criteria. The Quantitative criterion reflects how well read the student is whereas the Qualitative criterion reflects how well the student can use his/her knowledge to make a well structured critical and analytical argument and put it in a proper context.

B – Basic command

In order to pass the student must show sound knowledge about European competition and Intellectual property law.

The student must be able to demonstrate basic knowledge about current European competition law research and methodology as well as about the role of international organizations in international trade.

The student has to show ability to put European competition law in its proper legal framework, regionally as well as internationally, show an ability to identify legal problems independently, critically, creatively and be able to systematize arguments, as well as analyze, compare and assess theoretical and practical problems within the context of European law.

The student must show a fair ability to analyze case law concerning European trademark law, both in an oral and a written form and an ability to work both individually and in groups.

BA – Advanced command

In order to achieve this grade the student must show an in-depth knowledge above average about European competition and IPR law.

The student has to show good ability to put European competition law in its proper legal framework, regionally as well as internationally, show an ability to identify legal problems independently, critically, creatively and be able to systematize arguments, as

well as analyze, compare and assess theoretical and practical problems within the context of European law.

The student must show a good ability to analyze case law concerning European trademark law, both in an oral and a written form and an ability to work both individually and in groups.

AB – Mastery

In order to achieve the highest grade the student must show outstanding in-depth knowledge about European competition and IPR law.

The student must be able to demonstrate an excellent knowledge about current European competition law research and methodology as well as about the role of international organizations.

The student has to show excellent command of ability to put European competition law in its proper legal framework, regionally as well as internationally, show an ability to identify legal problems independently, critically, creatively and be able to systematize arguments, as well as analyze, compare and assess theoretical and practical problems within the context of European trademark law.

The student must show a very good ability to analyze case law concerning European law, both in an oral and a written form and an ability to work both individually and in groups and take initiatives in developing the legal discussion.

Entry requirements

Passed examination in courses corresponding to the first year of the Master's programme in European Business Law equivalent to 60 credits.

Further information

The University views plagiarism as a very serious academic offence, and will take disciplinary actions against students for any kind of attempted malpractice in connection with examinations and assessments. The penalty that may be imposed for this, and other unfair practice in examinations or assessments, includes suspension from the University.

Subcourses in JAEN40, Competition Law Dynamics

Applies from H12

1201 Competition Law Dynamics, 15,0 hp
Grading scale: Fail, Pass, Pass with credit, Pass with distinction