

JAEN46, Advanced Competition Law: Competition and Innovation, 15 credits

*Avancerad konkurrensrätt: konkurrens och innovation, 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 2015-10-29 to be valid from 2015-10-29, autumn semester 2015.

General Information

The course Advanced Competition Law: Competition and Innovation is an optional course within the Master's Programme in European Business Law at the Faculty of Law. The course is also open to students on the programme leading to a Swedish Professional Law degree.

The course is scheduled to require 10 weeks of full-time studies.

Language of instruction: English

Main field of studies

European Business Law

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 understand and critically evaluate EU and international competition and intellectual property law.

Knowledge and understanding

To pass the exam the student shall:

- show a solid understanding of EU and international competition law
- show an understanding of principles governing competition and how they are

applied on the regional and global level

- show an understanding of how competition law and intellectual property law interact.

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
- understand the economic foundations of the application of both competition and intellectual property law
- assess legal and economic issues in relation to competition and intellectual property law principles
- discuss and critically evaluate suggestions on special competition and intellectual property law issues.

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 research and take full responsibility for developing their own understanding of the relevant material and theories.

To pass the examination the students shall be able to consider and discuss legal and economic implications of different approaches to the interaction between competition law and intellectual property law.

Course content

The course focuses on innovation and European and international competition law and in particular its interaction with intellectual property law. It addresses the economic foundations and current development of the law. The course attaches great importance to the case law of the Union Courts and the EU Commission. Focus will be on innovation and the interaction of intellectual property law and competition law in different market with high-technology.

Course design

Teaching is provided in the form of lectures, seminars and case studies. 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 (3.000 Words; 50% of the grade). Grading will also be based on active participation and recurring presentations in lectures, seminars and case studies (50% of the grade). A student must pass both components separately to obtain a pass grade for the course.

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 competition and intellectual property law.

The student must be able to demonstrate basic knowledge of competition law and its interaction with innovation and intellectual property law.

The student has to show a fair ability to

- analyze competition law in its legal and economic framework,
- identify legal problems independently, critically, creatively to systematize arguments,
- analyze, compare and assess theoretical and practical problems within the context of competition law and innovation.

The student has to show a fair ability to analyses competition law in its legal and economic framework, 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 competition law and innovation.

The student must show a fair ability to analyze case law concerning European competition law and its interaction with innovation, 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 about competition law and its interaction with innovation and intellectual property law.

The student must be able to demonstrate good knowledge of competition law and its interaction with innovation and intellectual property law

The student has to show good ability to

- analyze competition law in its legal and economic framework,
- identify legal problems independently, critically, creatively to systematize arguments,
- analyze, compare and assess theoretical and practical problems within the context of competition law and innovation.

The student must show a good ability to analyze case law concerning European competition law and its interaction with innovation, 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 competition law and its interaction with innovation and intellectual property law.

The student must be able to demonstrate excellent knowledge of competition law and its interaction with innovation and intellectual property law.

The student has to show excellent ability to

- analyze competition law in its legal and economic framework,
- identify legal problems independently, critically, creatively to systematize arguments,
- analyze, compare and assess theoretical and practical problems within the context of competition law and innovation.

The student must show a very good ability to analyze case law concerning European competition law and its interaction with innovation, 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

Students on the Master's Programme in European Business Law: Passed examination in courses corresponding to the first year of the Master's programme in European Business Law equivalent to 60 credits, including the course EU Competition Law (15 credits).

Students within the programme leading to a Swedish professional degree Master of Laws: EU Competition Law (15 credits) or equivalent course. Other prerequisites as stated in the curriculum for the Master of Law Programme at the Faculty of Law.

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 JAEN46, Advanced Competition Law: Competition and Innovation

Applies from H15

1501 Advanced Competition Law: Competition and Innovation, 15,0 hp
Grading scale: Fail, Pass, Pass with credit, Pass with distinction