

Roll No



**PRESIDENCY UNIVERSITY
BENGALURU**

**SCHOOL OF LAW
END TERM EXAMINATION - JAN 2023**

Semester : SEMESTER - IX - 2018

Course Code : LAW308

Course Name : Sem IX - LAW308 - Competition Law

Program : LLB (All)

Date : 10-JAN-2023

Time : 1.00PM - 4.00PM

Max Marks : 80

Weightage : 40%

Instructions:

- (i) Read all questions carefully and answer accordingly.
- (ii) Question paper consists of 3 parts.
- (iii) Scientific and non-programmable calculator are permitted.

PART A

ANSWER ALL THE FOLLOWING QUESTIONS

5 X 2 = 10M

1. What is meant by Entry Barrier?
(CO2,CO1) [Knowledge]
2. What is Horizontal Agreement?
(CO2,CO1) [Knowledge]
3. What is Gunjumping?
(CO4,CO3) [Knowledge]
4. What is the difference between group in Sec 3 and Sec 5?
(CO3,CO4) [Knowledge]
5. What is Collective Dominance?
(CO3,CO4) [Knowledge]

PART B

ANSWER ALL THE FOLLOWING QUESTIONS

3 X 10 = 30M

6. Analyse the case of DLF Park Place Residents vs DLF Ltd.
(CO2,CO1) [Comprehension]
7. Analyse the case of Indian Sugar Mills Association vs Indian Jute Mills Association.
(CO1,CO2) [Comprehension]
8. Analyse the case of XYZ vs Alphabet Inc.
(CO3,CO4) [Comprehension]

PART C

ANSWER ALL THE FOLLOWING QUESTIONS

2 X 20 = 40M

9. Analyse the approach of CCI towards different modes of Transport on the basis of decisions on cases Arshiya Rail Infrastructure Ltd vs Ministry of Railways, Express Industry Council of India vs Jet Airways, Uniglobe Mod Travels Pvt. Ltd. Vs Travel Agents Association of India.

(CO3) [Application]

10. Jerry Pvt Ltd. (Jerry) is a private limited company engaged in the manufacture and sale of tyres of trucks, bus, tractor, and cars. Thomas Tyres Ltd. (Tom) is a public limited company, also engaged in the manufacture and sale of tyres of truck, bus, tractor, and 2-3 wheelers. Jerry supplies in retail market while Tom supplies directly to the automotive vehicle manufacturers. Jerry has Turnover of 3,000cr, while Tom has turnover of 6,000cr. Total tyre market has a turnover of 20,000cr. Tom's Articles of Association says that holding more than 15% shares in Tom would have a right to nominate 1 director to Tom's Board of Directors. In 2019 Tom suffered a financial crisis leading to drop in share value. Jerry took this opportunity to invest in Tom and pursuant to the approval of its Board of Directors, acquired 18% shareholding of Tom via multiple market purchases without notifying CCI. CCI have suo moto initiated enquiry into this transactions. You are a legal intern with the in-house legal team of Jerry and have been asked to prepare a note on: A) The relevant market pertaining to this case; B) The Questions that can arise and the defences that have to be made with respect to the transaction.

(CO4) [Application]
