

Roll No



**PRESIDENCY UNIVERSITY
BENGALURU**

SET-A

**SCHOOL OF LAW
END TERM EXAMINATION – MAY/JUNE 2024**

Semester : Semester VI - 2021

Course Code : LAW4021

Course Name : Competition Law

Program : BA LLB Honors

Date : June 21, 2024

Time : 1:00 PM - 4:00 PM

Max Marks : 100

Weightage : 50%

Instructions:

- (i) Read all questions carefully and answer accordingly.
- (ii) Question paper consists of 3 parts.
- (iii) Scientific and non-programmable calculator are permitted.
- (iv) Do not write any information on the question paper other than Roll Number.

PART A

ANSWER ANY FOUR QUESTIONS

4Q X 5M = 20 MARKS

1. Explain the Concept of Relevant Geographical Market. (CO1) [Knowledge]
2. Explain the Concept of Price Fixing with the help of a CCI decided Case. (CO2) [Knowledge]
3. What is Collective Dominance? What is the approach of Indian Competition Law towards Collective Dominance? (CO3) [Knowledge]
4. Explain the concept of Predatory Pricing with the help of a CCI decided Case. (CO3) [Knowledge]
5. What is the Difference between "Group" under Sec 3 and Sec 4&5 of Competition Act, 2002? (CO4) [Knowledge]
6. Explain "Control" with respect to Sec 5 of Competition Act, 2002. (CO4) [Knowledge]

PART B

ANSWER ANY FOUR QUESTIONS

4Q X 10M = 40 MARKS

7. Imagine you are the DG of CCI. Explain how you will ascertain the relevant Product market and relevant geographical market in a case of Patient undergoing Bypass surgery in Yelahanka, Bangalore accusing hospital of using stent with higher price. (CO1) [Application]

8. Discuss the case of Bharati Airtel Limited v. Reliance Industries Limited & Ors 2017 with respect to different kinds of pricing.

(CO2) [Application]

9. Yum brands is a sister concern and spinoff company of Pepsico. Pepsico is the Parent company of soft drink brands such as Pepsi, Mountain Dew, 7Up, Mirinda, etc which has 30% Market share of the total soft drink market in India. Yum Brands is the parent company of the fast food chains such as KFC, Pizza Hut and Taco Bell which holds 40% market share in fast food restaurant sector. Yum Brands decides that it will serve only Pepsico's soft drinks in their fast food outlets. Coca Cola, another soft drink company approaches CCI against this decision. As the in House Legal Advisor of Pepsico India frame the arguments in favour of Pepsico.

(CO3) [Application]

10. The Board of Cricket Control in India (BCCI) is the statutory authority that governs Cricket in India. In 2007 Indian Cricket League(ICL), a private Twenty Twenty Cricket League without the permission or support of BCCI was started under the sponsorship of Zee Entertainment. Upon realising the potential of the Twenty twenty Cricket League, BCCI decided to start it's own league, the Indian Premier League(IPL). In order to compact the rising popularity of ICL, BCCI decided not to give any of it's stadiums to ICL and also direct other organisations also to not give the stadiums and grounds. The players appearing in the ICL were given an ultimatum to quit the league or face lifetime ban from BCCI. Zee Entertainment was stripped off it's media rights of BCCI games unilaterally. As the Lawyer for ICL prepare your arguments against BCCI before CCI.

(CO3) [Application]

11. In India the IT sector is dominated by 6 companies taking up 94% of the market share; TCS with 45%, Infosys with 20%, HCL with 12%, Wipro with 8%, LTIMindtree with 5% and Tech M with 4%. Using the test of market concentration analyse if TCS can take over any of the other companies without creating AAEC.

(CO4) [Application]

12. In Indian Paint market the major players are Asian Paints, Berger Paints, Nerolac Paints and Dulux paints with market share of 59%, 18%,17% and 7% respectively. Imagine Asian Paints is planning to acquire Dulux Paints. Analyse the scope and implications of this merger with respect to the Competition Laws.

(CO4) [Application]

PART C

ANSWER ANY TWO QUESTIONS

2Q X 20M = 40 MARKS

13. Automobili Lamborghini , a subsidiary of Volkswagon and exclusive Motors, the dealer of Automobili Lamborghini in India were engaged in a furious legal battle, Analyse Exclusive Motors vs Automobili Lamborghini Case.
14. Control of the company is an important concept in analyzing the scope of a combination, Analyze the Combination of Ultratech and Jaiprakash Associates.
15. Competition commission of India plays important role in ensuring of fair competition in Indian market. Analyze the role of CCI with respect to Abuse of Dominance.