

Editor's Note

Dear reader,

It is my privilege to welcome you to another excellent edition of *World Competition*. As always, our esteemed writers have provided us with an in-depth analysis of the latest developments in the competition law field.

Our first article comes from; Hearing Officer, Wouter Wils and Advisor to the Hearing Officers, Henry Abbott. The article, '*Access to the File in Competition Proceedings before the European Commission*', examines minutely access to the file in competition proceedings conducted by the European Commission for the enforcement of Articles 101 and 102 of the Treaty on the Functioning of the European Union (antitrust proceedings) and under the EU Merger Regulation (merger control proceedings). This article will act as a point of reference to both academics and practitioners alike.

Barbora Jedlickova provides us with our next article, '*Digital Polyopoly*'. In this article, she introduces us to the new concept of 'digital polyopolies'. In recent times, algorithms have brought new challenges to competition law one of which is algorithmic parallel conduct. Digital polyopolies differ from parallel conduct arising from oligopolies as they are not limited by their number of competitors. This article delves into what are digital polyopolies, how they differ from pre-digital era concepts and how competition law should tackle them.

The following article comes from Emmanuel Combe and Constance Monnier-Schlumberger. This article, '*Public opinion on cartels and competition policy in France: analysis and implications*', considers the implications that have arisen from the results of a survey conducted by the French Competition Authority on the perception of cartels and competition policy by general public in France. Interestingly, the results show that French people consider these practices to be harmful and they are more in favour of dissuasive sanctions. In this article they explore how this result and others can help inform a better competition policy in France.

Our next article is *Antitrust über alles. 'Whither competition law after Facebook?'*. In this article Giuseppe Colangelo and Mariateresa Maggiolino delve into the three year investigation the German Competition Authority (GCA) conducted into Facebook's data policy. In their assessment the GCA found that Facebook's data policy is abusive and that Facebook abused its dominant position in the German market for social networks. In response to this the GCA have come up with a way

to limit Facebook's ability to gather, combine and analyse data in Germany. Colangelo and Maggiolino consider what effect this case and these new imposed limitations will have on the future of competition law.

Our next article, *'Tackling anticompetitive parallel conduct under personalised pricing'*, comes from Paolo Siciliani. This article examines what circumstances parallel conduct under personalised pricing is anti-competitive. The author then further explores whether this is within the scope of competition law, depending on which dimension of consumer preference heterogeneity is targeted by rival firms. In addition, the author puts forward three new theories of harm focussed on the exploitation of heterogeneous levels of consumer search costs.

The following article is by Petere Geord Picht and Gaspare Tazio Loderer. *'Framing Algorithms – Competition law and (Other) Regulatory Tools'* explores whether the application of regulatory tools that already exist in certain areas of law such as financial regulation and data protection would be applicable in areas of competition law also. The authors also discuss some recent competition law cases featuring algorithmic market activity and they further provides us with some policy recommendations for future consideration.

Our final article, *Law and Ordo: Exploring what Lessons Ordoliberalism holds for African Competition Law Regimes* was written by Dr Tjarda van der Vijver. In this fascinating article he addresses the perceived fallacy that trade liberalization would promote competition in many African economies. He further puts forward that Ordoliberalism could provide us with alternative methods to strengthen competition in African economies. This article examines the elements that make up Ordoliberalism and the lessons that can be learnt from the conceptual framework of Ordoliberalism.

I wish you a pleasant reading.

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