13th ASCOLA Conference
NYU School of Law
June 21–23, 2018

THE EFFECTS OF DIGITIZATION, GLOBALIZATION AND NATIONALISM ON COMPETITION LAW
+ WORKSHOP ON ADDITIONAL COMPETITION LAW ISSUES

THURSDAY June 21, 2018 [Greenberg Lounge, Vanderbilt Hall, 40 Washington Square South]

1:00-2:00pm Ascola Board Meeting (members of the board only) [Vanderbilt Hall, room 202]

1:30-2:00pm Registration and coffee for Pre-conference attendees (all welcome!!)

2:00-3:00pm Pre-conference: How to Write a High Quality Academic Article?
Moderator: Harry First (NYU)
Panelists: Pinar Akman (University of Leeds); Josef Drexl (Max Planck Institute for Innovation and Competition); Michal Gal (University of Haifa); Pablo Ibanez-Colomo (London School of Economics); Spencer Weber Waller (Loyola University Chicago)

3:00-3:30pm Registration and Coffee

3:30-5:45pm Welcome by Michal Gal (ASCOLA Chair); Harry First (NYU); and Spencer Weber Waller (Loyola University Chicago)

Keynote: Tim Wu (Columbia University), "The Big Case Tradition"

Panel I: Competition Policy in the Age of Populism
Panel chair: Eleanor Fox (NYU)
2. Maciej Bernatt (University of Warsaw), “Anti-institutional populism and antitrust: Setting the scene”

5:45-6:45pm Expert Panel: Merger Analysis: What Is the Right Approach?
Moderator: Scott Hemphill (NYU)
Panelists: Louis Kaplow (Harvard) and Daniel Rubinfeld (NYU and UC Berkeley)

7:00-8:00pm Welcome reception [Vanderbilt Hall, room 110]
Best Junior Paper Award: Presented by Josef Drexl (Max Planck Institute for Innovation and Competition)
FRIDAY June 22, 2018 [Greenberg Lounge, Vanderbilt Hall]

8:00-9:00am Breakfast

9:00-10:30am Panel II: Competition Law in the Digitization Era
Panel chair: Tim Wu (Columbia University)

10:30-11:30am Coffee break

11:30-1:00pm Panel III: Competition Law in the Digitization Era
Panel chair: Michal Gal (University of Haifa)
4. Nicolo Zingales (University of Sussex), “Antitrust intent in an age of algorithmic nudging”

1:00-2:15pm Lunch

2:15-3:45pm Parallel workshop panel sessions (see separate workshop schedule)

3:45-4:15pm Coffee break and Poster Session I [Golding Lounge, 2nd Floor, Vanderbilt Hall]

4:15-6:00pm Panel IV: Datafication and Competition Law
Panel chair: Daniel Sokol (University of Florida)
1. Mariateresa Maggiolino (Bocconi University) and Giuseppe Colangelo (Luiss University), “Data Accumulation and the Privacy-Antitrust Interface: Insights from the Facebook Case”
2. Wolfgang Kerber (University of Marburg), “Data Governance in Connected Cars, Access to In-Vehicle Data, and Competition Law”
3. Yane Svetiev (University of Sydney/Bocconi University) and Giacomo Tagiuri (Bocconi University), “The Opportunities and Dislocations of Technological Change: EU Law as a Coping Mechanism?”
5. Claudio Lombardi (KIMEP School of Law), “Digital news for a rave new world: Competition and public interest in the scramble over data”
6:00-6:45pm  General Assembly of all ASCOLA Members  
Discussion on Code of Conduct led by Ioannis Lianos (University College London) 

7:00-9:00pm  Dinner [Lipton Hall, 108 West 3rd Street]  

SATURDAY June 23, 2018 [Greenberg Lounge, Vanderbilt Hall] 

8:00-9:00am  Breakfast 

9:00-10:45am  Parallel workshop panel sessions (see separate workshop schedule) 

10:45-11:15am  Coffee break and **Poster Session II** [Golding Lounge, 2nd Floor, Vanderbilt Hall] 

11:15-12:45pm  **Panel V: Datafication and Competition Law**  
Panel chair: Harry First (NYU)  
1. Ramsi Woodcock (Georgia State University), “The Efficient Queue: The Case against Dynamic Pricing”  
2. Margherita Colangelo (University of Roma Tre), “Antitrust Implications of Most Favoured Nation Clauses in Online Markets”  

12:45-1:00pm  **Conclusions**  
Michal Gal, Harry First, and Spencer Weber Waller
Parallel Panel Session I (panels 1-6)
Friday, June 22 2:15-3:45pm
Some of the papers will also be presented in Poster Session I

Panel 1: Competition Law and the Digital Environment [Vanderbilt Hall, room 201]
Panel chair: Wolfgang Kerber (Philipps University Marburg)
2. Maria Ioannidou (Queen Mary University), “Digital Agoraphobia”: an enforcement perspective
4. Anca Chirita (Durham University), “Data-Driven Mergers under EU Competition Law”

Panel 2: Mergers [Vanderbilt Hall, room 202]
Panel chair: Björn Lundqvist (Stockholm)
1. Ioannis Lianos (University College London), “Food Sovereignty” and global food value chains: A comparative perspective on the competition review of mega-mergers in the agrochem sector”
2. Marco Botta (Max Planck Institute for Competition and Innovation) and Federico Ghezzi (Bocconi University), “Protectionism and national champions v. European merger control; The possible spill-over effects of the draft ECN + Directive and FDI Regulation”

Panel 3: Big Data, Data Rights and Competition Law [Vanderbilt Hall, room 208]
Panel chair: Daniel Rubinfeld (NYU and Berkeley)
1. Fabiana Di Porto (University of Salento) and Gustavo Ghidi (University of Milan), "Exploitation of big data: From market dominance to societal hegemony. Analysis, and containment"
2. Valeria Falce (European University of Rome), “Sui generis right on data and competition law in the data driven economy: Is the abuse of right doctrine a possible alley?"
3. Klaudia Majcher (Institute for European Studies), “The concept of coherence: theorizing about the intersections between competition and data protection law”
Panel 4: Platforms [Vanderbilt Hall, room 216]
Panel chair: Thomas Cheng (University of Hong Kong)
1. Mark Patterson (Fordham University), “Modularity, Interfaces, and Competition in Technology Markets”
2. Daniel Mândrescu (Europa Institute Leiden University), “Applying (EU) competition law to online platforms: Reflections on the definition of the relevant market”
4. Francesco Ducci (University of Toronto), “Rule of Reason Analysis in Two-Sided Markets”

Panel 5: Digitization [Furman Hall, 245 Sullivan Street, room 118]
Panel chair: David Bosco (Aix en Provence)
2. Maria Fernanda Caporale Madi (Erasmus University), “Vertical agreements in online markets and the new regulatory dilemma”
3. Beata Mäihäniemi (University of Helsinki), “Lessons from the Recent Commission’s Decision on Google. To Favour Oneself or Not, That is the Question”

Panel 6: Competition Law: General Issues [Furman Hall, 245 Sullivan Street, room 120]
Panel chair: Josef Drexl (Max Planck Institute for Competition and Innovation)
1. Francisco Marcos (IE Law School), “Cosmetic antitrust and procrastination in the enforcement of antitrust rules”
3. Or Brook (University of Amsterdam), “Priority setting as a double-edged sword: How modernizations strengthen the role of non-competition interests in Article 101 TFEU”
Parallel Panel Session II (panels 7-12)
Saturday, June 23 9:00-10:45am

Some of the papers will also be presented in Poster Session II

Panel 7: Competition Law and IP [Vanderbilt Hall, room 201]
Panel chair: Michal Gal (University of Haifa)

1. Laura Zoboli and Maria Lillà Montagnani (Bocconi University), “The European Geo-Blocking Regulation Between Competition and Copyright Law: Servant of Two Masters?”
2. Thomas Cheng (University of Hong Kong), “The patent-antitrust interface in developing countries”
4. Sofia Pais (Catholica Porto), “Pay for delay agreements: Squaring the circle”

Panel 8: Nationalism and Competition Law [Vanderbilt Hall, room 202]
Panel chair: Francisco Marcos (IE Law School)

1. Barry Rodger (University of Strathclyde), “UK Competition Law Post-Brexit: Divergence from EU Law, Re-nationalisation and Re-politicisation?”
2. Kanoknai Thawonphanit (Kiel University), “Fear of False Positive as Nationalism in Disguise: The Major Challenge to Thai Competition Law”
3. Jonathan Galloway (University of Newcastle), “Regulatory globalisation in reverse: When international enforcement waves crash against national characteristics”
4. Masako Wakui (Osaka City University Graduate School of Law), “Liner Shipping Antitrust Exemptions in the Pacific Rim Regions: The Need for International Coordination to Tackle Global Competition Concerns”

Panel 9: Competition Law and the Digital Environment II [Vanderbilt Hall, room 208]
Panel chair: Caron Beaton-Wells (University of Melbourne)

2. Stefan Holzweber (University of Vienna), “Tying and Bundling in the Digital Era”
3. Juha Vesala (University of Helsinki), “Artificial Creativity and Antitrust”

Panel 10: Recent European Competition Law Developments [Vanderbilt Hall, room 216]
Panel chair: Ioannis Lianos (University College London)

1. Pablo Ibanez-Colomo (London School of Economics), “Regulatory capture in the new EU competition law”
2. Piotr Semeniuk (University of Warsaw), “Does EU competition law favor particular countries?”
3. Victoria Daskalova (University of Twente), “Counterproductive Regulation? The EU’s (mis)adventures in regulating Unfair Trading Practices in the Food Supply Chain”
4. Peter Whelan (University of Leeds), “Parental liability in EU Competition Law: An Examination of its Deterrence-Based Justification”
5. Petra Pipkova (Law Faculty Charles University), “The Harm is Higher than Zero: the “new” presumption that cartels cause harm in the EU”
Panel 11: Globalization of Competition Law [Furman Hall, 245 Sullivan Street, room 118]
Panel chair: Valeria Falce (European University of Rome)
1. Galyna Kostiukevych (European University Institute), “Cartels in chains: tackling anticompetitive conduct in global value chains through public enforcement of competition laws”
2. Peter Behrens (University of Hamburg), “Globalization and the Protection of Competition in the EU: The Extraterritorial Application of EU Competition Rules”
3. Marek Martyniszyn (Queen's University Belfast), “Competitive Harm CrossingBorders: Regulatory Gaps and a Way Forward”
4. Magali Eben (University of Leeds), “Market Definition and the Mystery of the Candidate Market: The Quest to Find the Focal ‘Product’”

Panel 12: Remedies [Furman Hall, 245 Sullivan Street, room 120]
Panel chair: Fabiana Di Porto (University of Salento)
1. Pinelopi Alexia Giosa (University of East Anglia), “Damages Claims for Bid Rigging in Europe: A Storm in a Tea Cup?”
2. Florian Wagner-von Papp (University College London), “The extraterritorial reach of remedies from a European perspective”
4. Urska Petrovcic (European University Institute), “The Unsettled Role of EU Competition Law in Addressing Injunctions for Standard-Essential Patents”