

Bankura University
LL.M Sem II Examination, 2021
Course Title : Competition Law
Course ID : 22754
Course Code : LM 204E (Gr.A)

Answer any four questions
The figures in the margin indicate full marks

Time: 3 hours

Full Marks: 80

1. Briefly discuss about the genesis of competition laws and its gradual induction in the Indian legal system. 20
2. Competition Law does not prohibit dominance but abuse of dominance- Elucidate 20
3. "The general perception is that there are inherent tensions between IPRs and competition, because IPRs protection gives monopoly rights and competition law fights against monopoly in the market." Elucidate 20
4. What do you mean by Anti- Competitive Practices? Do you consider that Competition Act, 2002 "aims to prevent anti-competitive practices by an enterprise that causes or is likely to cause an appreciable adverse effect on competition (AAEC) in the relevant market in India"? 20
5. "Both competition law and consumer protection law deal with distortions in the marketplace, which is supposed to be driven by the interaction between supply and demand. Antitrust offenses, like price fixing or exclusionary practices, distort the supply side because they restrict supply and elevate prices. Consumer protection offenses, like deceptive advertising, distort the demand side because they create the impression that a product or service is worth more than it really is." In context of above discuss how competition law and consumer protection law in India curb the unfair trade practices and ensure consumer justice. 20
6. Write short note (any two) : 10x2=20
 - A) Conflict of competition policy and patent policy
 - B) Power and Function of Competition Commission of India
 - C) Regulation of Unfair Competition in UK
 - D) WTO & its impact on competition law with reference to United Nations Conference on Trade and Development (UNCTAD)