

**Reading(s):** There is no assigned textbook.

**Communication(s):** [alipskyj@gmu.edu](mailto:alipskyj@gmu.edu)

### **COURSE DESCRIPTION**

Welcome to the Legal Practicum: Global Competition Advocacy. With competition-law agencies now active in over 130 jurisdictions worldwide, many antitrust scholars, public policy think tanks and similar organizations – as well as individual businesses and business associations – are actively engaged in promoting the application of sound and economically-grounded legal analysis to competition and antitrust enforcement agencies around the world. Many of the enforcement agencies solicit public input whenever they consider adopting or materially modifying existing rules and practices, whether substantive, procedural, investigative, remedial or otherwise. Legislative bodies and other public institutions also conduct such inquiries. By providing persuasive input to the relevant authorities, the analytical quality of antitrust enforcement can be improved substantially, facilitating competition, innovation and economic growth, and ultimately benefiting all consumers worldwide.

This course provides students with the opportunity to participate in this global antitrust community by analyzing active proposals by competition agencies, legislative bodies or other governmental entities to enact or modify competition law and policy in foreign jurisdictions. The course combines practical lectures with hands-on experience in discovering the opportunities for the submission of input, in conducting research, and in writing and submitting comments to foreign authorities, with participation of Scalia Law faculty.

### **COURSE OBJECTIVES**

Students who complete this course should attain the following Learning Objectives:

- To demonstrate the skills needed to identify the competition agency and other relevant government institutions in any of the 130+ jurisdictions around the world that have active competition law systems
- To identify and access the key sources of public information about impending legislative, agency or other governmental proposals to enact or amend competition law and policy
- To identify appropriate opportunities for competition advocacy, and to craft written submissions most likely to persuade the target entity to act in accord with the best economic understandings relevant to the issue at hand
- To identify available sources of the most persuasive analysis of key issues relevant to advocacy submissions
- To provide arguments using presentation style and language best calculated to win understanding and acceptance, while avoiding unnecessary discord
- To ensure that advocacy submissions are provided to the recipient in compliance with all applicable rules, procedures, customs and practices

**Professor(s):** Abbott (Tad) Lipsky

Tues. 4:00 – 6:00 pm EST | **Final Exam:** N/A

**GRADING & PARTICIPATION**

Student grades will be based upon student writing assignments. 100 percent of a student's grade will be based on the student's work identifying comment opportunities, determining the best arguments to present, preparing and drafting documents, such as comments to foreign competition agencies, legislative bodies, or other relevant agencies. Student writing assignments are also likely to include research memoranda on developments in competition law in various jurisdictions. Each student will be assigned to monitor one or more international jurisdictions and report orally or in writing on developments. In-class discussion and participation are also important. A student's overall grade may be adjusted one step upward or downward (for example, from an A up to an A+ or down to an A-) based on the student's participation during in-class discussions. Class attendance is critical.

*Class Meetings*

Class will be held on **Tuesday from 4:00pm to 6:00 pm**. The first class meeting is on **Tuesday, January 21**. Class meetings will be dedicated primarily to discussing the ongoing projects, developments in foreign jurisdictions, with occasional guest speakers with special experience and/or insights into global competition advocacy.