



FALL 2026 COURSE SYLLABUS

Course Number: 645-001
Course Title: Global Antitrust Law Seminar
Credit Hours: 2
Grading Mode: Letter
Meeting Time(s): TUE, 4:00P-6:00P
Meeting Mode: ON CAMPUS
Exam Time(s): N/A
Exam Mode: N/A
Prerequisite(s): N/A
Corequisite(s): N/A
Instructor(s):
ABBOTT (TAD) LIPSKY

Contact Info:
alipskyj@gmu.edu

Reading(s) & Supplement(s):

Links and/or citations to reading material are provided for each session. There is no assigned casebook. Additional readings will be circulated as warranted.

Participants should be aware of several online references that may be especially helpful. A variety of relevant materials – statutes, regulations, guidelines, official speeches and policy statements, *etc.*, are available through links provided on the following websites:

[International Competition Network website](#), including the [ICN Member Directory](#) (International Competition Network).

The landing page for the Competition Committee of the [Organization for Economic Co-operation and Development](#).

[Antitrust Sites Worldwide \(U.S. DOJ\)](#), which lists and provides links to many national and multinational competition authority websites.

Course Overview

This seminar will provide a fundamental understanding of antitrust law as it continues to expand across the globe. U.S. antitrust law originated in 1890, but global interest in antitrust did not emerge until the 1980's. Now there are over 140 jurisdictions that enforce antitrust law (with new jurisdictions continuing to adopt and/or strengthen such laws), with major and ever-increasing impact on all forms of business conduct. The seminar will consider the laws, procedures, institutions and agency enforcement policies in leading antitrust jurisdictions (Brazil, Canada, China, European Union, India, South Africa and the U.S., among many others). These will be compared and contrasted, and key elements of antitrust in a diverse sample of jurisdictions will be explored. "Hot topics" to be covered include continuing antitrust challenges to the world's leading technology companies, the international impact of the "progressive" narrative of antitrust invented in 2016, international conflicts in the application of antitrust to intellectual property and standard-setting organizations, and persistent weaknesses in the antitrust case procedures of many jurisdictions. Multijurisdictional investigations and cases – for price-fixing and similar cartel behavior, multinational mergers, and dominant-firm conduct – will be examined. Other topics will include how agencies in different jurisdictions coordinate and cooperate in investigations and cases, and in developing international "best practices" through bilateral and multilateral agency relationships, and through multilateral government and enforcement-agency organizations (International Competition Network, OECD Competition Committee and others). The course will feature guest speakers from leadership and staff of antitrust enforcement agencies, as well as leading private practitioners who handle complex international matters.

Course Learning Outcomes

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

1. To demonstrate awareness of the main historical events and trends of the global proliferation of antitrust and competition law from the US to more than 140 jurisdictions worldwide
2. To identify the key substantive and procedural differences between the US antitrust laws and the laws of other leading jurisdictions, such as the EU and People's Republic of China
3. To understand the main circumstances in which the laws of different jurisdictions conflict in specific cases
4. To demonstrate awareness of the main public international organizations and how they influence antitrust enforcement worldwide

5. To demonstrate awareness of the specific mechanisms by which antitrust agencies in different jurisdictions cooperate in particular cases involving international cartels, monopolization and abuse-of-dominance cases, and mergers that affect multiple jurisdictions
6. To understand the most important sources of conflict among the antitrust enforcement objectives of different jurisdictions in the specific context of cases involving high technology firms and industries

Grading Policies

Grades will be based on a seminar paper. Paper topics may include any subject of interest in the field of global antitrust law. Paper topics are subject to review and input by Prof. Lipsky and proposed topics should be submitted to him no later than September 14. Papers should be at least 5,000 words (10 pages single-spaced).

Paper Deadlines:

September 14 — Paper topic proposal due
October 5 — Outline of paper due
November 16 — Final paper due

Classroom Policies

Attendance: Per AR 3-1.4, “maintenance of matriculation requires regular class preparation, participation and attendance, registration in the course of study required for the student’s program (full-time or part-time), successive registration for each fall and spring term of each academic year until study is completed, and compliance with all other relevant requirements.”

Absences: Per AR 4-1.1, “if a student is absent for any reason for more than 20 percent of the sessions of a course, the student is not eligible for credit in that course. A student who is not present for at least 75 percent of a session of the course is absent from that session.”

Participation & Preparation:

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.

Use of Technology & AI:

Moderate Use Policy: Generative AI tools may be used in this course for the following purposes, and with the following guidelines. Students may use AI in this course to **brainstorm, outline, and study**, but may not use AI **as the primary source to generate text for the required paper**. Students must use AI tools responsibly, verify facts presented by AI, disclose when AI tools are used to create course work product, properly cite any AI tools utilized, and should be prepared to produce the transcript of

prompts and responses upon request. Misuse will be treated as a violation of academic standards.

Course Schedule & Assignments

Class 1: August 18

Introduction to Global Antitrust Law; Overview of this Seminar

Class 2: August 25

How Antitrust Legislation Proliferated World-Wide: Emergence and Evolution of the Worldwide Antitrust Web

Readings:

Abbott B. Lipsky, Jr., *Managing Antitrust Compliance through the Continuing Surge in Global Enforcement*, 75 Antitrust L.J. 965 (2009). [may require access through [JSTOR](#) or SLS Library]

Abbott B. Lipsky, Jr., [Overdeterrence, Non-Competition Policy Goals, and Inadequate Defense Rights – Identifying \(and Fixing\) Antitrust Constraints on International Trade](#), 84 Antitrust L.J. 185 (2021).

Class 3: September 1

Patterns of Conflict: Overlapping Jurisdictions with Inconsistent Policy Objectives, Substantive Rules and Enforcement Procedures

Reading:

Damien Geradin, *The Perils of Antitrust Proliferation - The Process of 'Decentralized Globalization' and the Risks of Over-Regulation of Competitive Behaviour* (2009), 10 Chicago J. Int'l L. 189 (2009). Available at SSRN ([option 1](#) or [option 2](#)).

Class 4: September 8

Patterns of Cooperation: The New Relationships and Institutions of International Antitrust

Reading:

Randolph W. Tritell, [Meeting the Challenges of the Evolving International Antitrust Landscape](#), 22 Geo. Mason L. Rev. 1269 (2015).

Class 5: September 15

Antitrust in Europe: from Clerks to Global Tech Czars

Reading:

Maureen K. Ohlhausen, U.S. – [E.U. Convergence: Can We Bridge the Atlantic?](#)

Class 6: September 22

Antitrust in Asia: Market Rules for New Economies Replacing Ancient Empires

Reading:

[Anti-Monopoly Law of the People's Republic of China](#)

Class 7: September 29

Multinational Merger Clearance

Readings:

[International Competition Network, Recommended Practices for Merger Notification and Review Procedures](#)

[International Competition Network, Recommended Practices for Merger Analysis](#)

Class 8: October 6

International Cartel Cases

Readings:

ICN, [Anti-Cartel Enforcement Manual](#), Chapter on International Cooperation and Information Sharing (2013).

OECD, [Recommendation of the OECD Council Concerning International Cooperation on Competition Investigations and Proceedings](#) (2014).

Motorola Mobility LLC v. AU Optronics Corp., 775 F.3d 816 (7th Cir. 2014)

United States v. Hui Hsiung, 778 F.3d 738 (9th Cir. 2014)

Lotes Co., Ltd. v. Hon Hai Precision Industry Co., 753 F.3d 395 (2d Cir. 2014)

Class 9: October 13

The New Institutional Setting for Monopolization and Abuse of Dominance Cases

Reading:

[“Why US Antitrust Law Should Not Emulate European Competition Policy”](#),
Statement of Geoffrey A. Manne, President and Founder, International Center for

Law & Economics on A Comparative Look at Competition Law Approaches to Monopoly and Abuse of Dominance in the US and EU, Before the United States Senate Committee on the Judiciary Subcommittee on Antitrust, Competition Policy, and Consumer Rights Washington, D.C. December 19, 2018.

Class 10: October 20

International Treatment of “Standard-Essential” Patents and “Fair, Reasonable and Non-Discriminatory” Royalties

Reading:

[How Commissioner Vestager’s Mistaken Views on Standard-Essential Patents Illustrate Why President Trump Needs a Unified Policy on Antitrust and Innovation](#), 1 CRITERION JOURNAL ON INNOVATION 721 (2016).

Class 11: October 27

International Antitrust – The Relationship with International Trade

Reading:

[Report of the International Competition Policy Experts Group](#).

Class 12: November 10

Institutions and Procedures – The Quality of Decision Making in International Antitrust

Readings:

Abbott B. Lipsky, Jr. and Randolph Tritell, Best Practices for Antitrust Procedure: The Section of Antitrust Law Offers Its Model, (ABA Antitrust Section, Antitrust Source, December 2015).

[ICN Framework on Competition Agency Procedures](#)

[ICN Guidance on Investigative Process](#)

OECD, Procedural Fairness and Transparency Best Practice Roundtables [to be supplied].

Class 13: November 17

Concluding Themes – Reserved for Discussion of Pending Issues and Prospects for New Developments.

Student Resources

[Antonin Scalia Law School Academic Regulations](#)

[GMU Common Course Policies Addendum](#)

[Mason Square Services](#)

[Mason Square Police](#)

Van Metre Hall, Room 110

Emergency - Dial 911

Escort Services - 703-993-8070

Dispatch – 703-993-2810

[Student Support and Advocacy Center \(SSAC\)](#)

Mason Square Sexual Assault Services: Van

Metre Hall, Room 222D

703-993-8186

Notice of Mandatory Reporting of Sexual Assault, Sexual Harassment, Interpersonal Violence, and Stalking:

As a faculty member, I am designated as a “Non-Confidential Employee,” and must report all disclosures of sexual assault, sexual harassment, interpersonal violence, and stalking to Mason’s Title IX Coordinator per University Policy 1202. If a student wishes to speak with someone confidentially, please contact one of Mason’s confidential resources, such as Student Support and Advocacy Center (SSAC) at 703-380-1434 or Counseling and Psychological Services (CAPS) at 703-993-2380. Students may also seek assistance or support measures from Mason’s Title IX Coordinator by calling 703-993-8730, or emailing titleix@gmu.edu.

[Mason Square Clinic](#)

Van Metre Hall, Room B102

703-993-2831

[Counseling and Psychological Services](#)

[Student Health Services](#)

[Student Disability Services](#)

[Student Conduct](#)

[University Life](#)