



FALL 2026 COURSE SYLLABUS

Course Number: 259-001

Course Title: EUROPEAN UNION COMPETITION LAW

Credit Hours: 3

Grading Mode: Letter Grade

Meeting Day(s)/Time(s): Tuesday/Thursday: 8:10 to 9:35

Meeting Mode: In-person

Exam Day(s)/Time(s): No exam

Final Exam Mode: **No final exam**

Prerequisite(s): No prerequisite

Corequisite(s): No co-requisite

Instructor(s): Bilal Sayyed

Contact Information: bsayyed@gmu.edu

Office Hours: By appointment

Course Overview: The course is designed as an **introductory** class. It assumes no prior knowledge of competition law or the law of the European Union. It is suitable for all students and perhaps beneficial for students seeking a foundation for further study in antitrust, regulation, international business law, or European economic governance. In the course, we will study EU case law and decisions and guidance of the European Commission interpreting:

- **Article 101 of the Treaty on the Functioning of the European Union (TFEU)**, focusing on agreements between undertakings (firms), concerted practices, restrictions by object and effect, exemptions, and vertical and horizontal cooperation;
- **Article 102 TFEU**, examining dominant position, market definition, abuse, exclusionary and exploitative conduct, and contemporary debates in enforcement;
- The **EU Merger Regulation**, including jurisdiction, notification thresholds, substantive assessment of horizontal and non-horizontal mergers, procedural stages and remedies.
- The **Digital Markets Act** (DMA).

We will review the institutional and economic foundations of EU competition law, including the roles of the European Commission, the Court of Justice of the European Union, and national competition authorities.

No understanding or experience with U.S. Antitrust Law is necessary nor required nor expected.

Course Learning Outcomes: By the end of the course, students should understand the core objectives and structure of EU competition law and have a basic ability to:

- Identify and analyze issues arising under Articles [101](#) and [102](#) TFEU;
- explain the main principles governing [EC Merger Regulation](#);
- interpret key cases, Commission decisions, and guidance documents; and,
- apply legal reasoning to competition law fact patterns.

Reading(s) & Supplement(s): See list of readings. There is no required textbook. You may find it useful to use Jones & Sufrin's EU Competition Law (Text, Cases, and Materials) (8th Edition) for supplemental reading. ([E-copy available here](#)).

We will also refer to the following Guidelines (or Draft Guidelines) during the course.

- [2023 Guidelines on Horizontal Co-operation](#)
- [2022 Guidelines on Vertical Restraints](#)
- [2008 Exclusionary Conduct Guidelines](#)
- [2024 \(Draft\) Exclusionary Conduct Guidelines](#) (scroll down to download)
- [2004 Horizontal Merger Guidelines](#)
- [2008 Non-Horizontal Merger Guidelines](#)
- [2026 \(Draft\) Merger Guidelines](#)
- [2024 Notice on Market Definition](#)

Grading Policies: Grades will be based on: (i) 5 memos of approximately 1500-2000 words and (ii) a bump up or down for class participation. Memos will be due every two-three weeks.

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."

Use of Technology & AI: Allowed, with the exact scope to be discussed in class. (I am a proponent of the full use of AI, but I want to confirm everyone has access to equivalent models.)

Course Schedule & Assignments

Week 1: FOUNDATIONS OF EU COMPETITION LAW & INSTITUTIONAL FRAMEWORK

1. [Consten and Grundig v Commission](#) (1966)
2. [Société Technique Minière \(STM\) v Maschinenbau Ulm](#) (1966)
3. [Albany International v Stichting Bedrijfspensioenfonds](#) (1999)

Week 2: AGREEMENT, CONCERTED PRACTICES, AND PARALLEL CONDUCT

4. [T-Mobile Netherlands](#) (2009)
5. [Groupement des Cartes Bancaires v Commission](#) (2014)
6. [Anic Partecipazioni](#) (1999)

Week 3: RESTRICTIONS BY OBJECT AND BY EFFECT

7. [Beef Industry Development Society \(BIDS\)](#) (2008)
8. [Generics \(UK\) Ltd v Competition and Markets Authority \(Paroxetine\)](#) (2020)

Week 4: VERTICAL RESTRAINTS AND DISTRIBUTION SYSTEMS

9. [Metro SB-Großmärkte v Commission \(Metro I\)](#) (1977)
10. [Pierre Fabre Dermo-Cosmétique](#) (2011)
11. [Coty Germany](#) (2017)

Week 5: ARTICLE 101(3), EFFICIENCIES, AND GOVERNANCE RESTRAINTS

12. [Mastercard v Commission](#) (2014)
13. [European Super League Company](#) (2023)

Week 6: DOMINANCE AND MARKET POWER

14. [United Brands v Commission](#) (1978)
15. [Hoffmann-La Roche v Commission](#) (1979)
16. [Servizio Elettrico Nazionale](#) (2020)

Week 7: EXCLUSIONARY CONDUCT AND REBATES

17. [Microsoft v Commission](#) (2007)
18. [Intel v Commission](#) (2017)
19. [Google Android](#) (2022)

Week 8: REFUSAL TO DEAL, ESSENTIAL FACILITIES, AND EXPLOITATION

20. [Bronner](#) (1998)
21. [AKKA/LAA](#) (2017)
22. [Slovak Telekom](#) (2021)

Week 9: MERGER CONTROL: FRAMEWORKS AND THEORIES OF HARM (HORIZONTAL MERGERS)

23. [Europemballage and Continental Can](#) (1973)
24. [Airtours v Commission](#) (2002)
25. [Dow/DuPont](#) (Commission decision, 2017)

Week 10: NON-HORIZONTAL MERGERS

26. [GE/Honeywell v Commission](#) (2005)
27. [Google/Fitbit](#) (Commission decision, 2021)

Week 11: REMEDIES, PROCEDURE, AND JUDICIAL REVIEW

- 28. [Commission v Alrosa](#) (2010)
- 29. [UPS v Commission](#) (2017)
- 30. [CK Telecoms v Commission](#) (2020)

Week 12: DIGITAL MARKETS ACT AND PLATFORM REGULATION

- 31. [Google Shopping](#) (2021)
- 32. [Amazon Buy Box](#) (2022)

Week 13: DATA

- 33. [Meta Platforms v Bundeskartellamt](#) (2023)
- 34. [Facebook/WhatsApp](#) (Commission decision, 2014)

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](#)

[University Life](#)