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Is The Impending Paramount-Warner Bros Discovery Merger an Antitrust Concern? 390

The proposed Paramount-Warner Bros Discovery merger has dominated the headlines recently with many of them being highly critical of the potential ramifications that the move may have on the entertainment/media industry and the people in the sector. Within these reports, fears of rising prices, diminishing consumer choices, theatrical sector decline, loss of jobs, and so on, dominate heavily to the extent that many concerned stakeholders have been very outspoken in calling for the on-going proposed merger's halt. That said, many of the criticisms, while merited to some degree, nonetheless, may have little relevance in the regulatory assessment of the merger. As far as antitrust (or competition) laws are concerned, the focus is on market power and competition matters, issues that the proposed merger does not appear to violate.

MIROSLAVA MARINOVA

Algorithmic Personalised Pricing and the Limits of AI Regulatory Sandboxes under the EU AI Act 403

AI regulatory sandboxes are a central instrument of the EU Artificial Intelligence Act, designed to support innovation and regulatory learning through supervised testing. This paper argues that they are structurally ill-suited to addressing AI applications whose harms arise through market outcomes rather than system design. Algorithmic Personalised Pricing (APP) illustrates this limitation. Its risks are outcome-based and cannot be readily translated into ex ante risk categories or sandbox evaluation criteria. As a result, such practices may escape both effective observation and regulatory scrutiny. While art.102 TFEU provides a potential doctrinal basis for intervention, the evidential conditions required for enforcement remain difficult to satisfy. The paper concludes that sandbox design cannot compensate for this misalignment and calls for closer integration between AI governance and EU competition law.

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CCI Finds no Abuse of Dominance by Private Hospitals—An Opportunity Lost? 413

Public healthcare has always been a contentious subject in all jurisdictions. With a huge population, it is more difficult to develop a fair healthcare delivery system in India without elements of human greed. In this article, the author, while highlighting the prevailing corruption in public healthcare system in India despite some efforts made by the Union government, has critically analysed a recent verdict of India's fair market regulator, the Competition Commission of India (CCI) closing a decade old Antitrust case against few selected super speciality private hospitals in Delhi NCR against the findings of exploitative and unfair pricing by In-house pharmacies located within these hospitals arrived at during the preceding investigation by its director general. The Commission's own unique economic analysis of absence of an "aftermarket" or "locked in" effect is based on its carving out another equally unique category of patients who "opt" to visit these hospitals "by choice". The regulator, according to the author, has not only ignored the international guidelines by OECD on "aftermarket" and "tying in" in the sector but has also overlooked its own 2022 decision on similar facts and circumstances in the Google Play billing case.

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TCA's Approach to Algorithms Through the Lens of Amazon Case 423

This paper examines the Turkish Competition Authority's evolving approach to algorithmic conduct through the landmark Amazon decision. It analyses the Authority's framework for assessing both unilateral algorithmic practices and algorithmic coordination, drawing on recent case law. The paper argues that Amazon establishes key analytical criteria while highlighting unresolved challenges posed by self-learning algorithms, evidentiary standards, and future enforcement in digital markets.

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