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The question of whether the launch of new online services by public service media constitutes "new State aid" (requiring formal authorisation by the European Commission before launch) or "existing State aid" (subject only to ex post monitoring) is crucial for broadcasters wishing to react quickly in the dynamic media markets. The recent RTBF Decision provides welcome guidance, confirming that public service media may in most cases launch new online services without first having to notify the European Commission.

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The Indian Competition Law jurisprudence, which has largely developed from the EU Competition Law jurisprudence, seeks to formally introduce the concept of "collective dominance" in s.4 of the Competition Act, 2002 through the Competition (Amendment) Bill, 2012. Against the backdrop of the Amendment Bill that is currently pending in the Parliament, this article seeks to throw light on certain cases decided by the Competition Commission of India (CCI) wherein mere possibility of abuse of dominance under s.4 was not considered on account of the Act not recognizing collective dominance. Further, this article analyses whether, while following the footsteps of EU Competition Law, the Competition (Amendment) Bill, 2012 can prevent abuse of "collective dominance" in an effective manner thereby providing a glimpse at further essential incorporations for effective check on abuse of collective dominance.

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