

Editorial

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The Google Android case and the DMA—lessons learned? 52

In its *Google Android* case, the European Commission did not develop a theory of harm specifically for Google's platform business model in order to support the remedies imposed. The proposed Digital Markets Act (DMA) includes behavioural obligations that promise to prevent abuses of the type prosecuted in the Android case in future. However, the DMA does not address the effects of past conduct and is not likely to effectively dissolve entrenched dominant cross-market positions, like the one Google enjoys within the Android ecosystem.

JING WANG & GARY CLIFFORD

The 2007 Anti-Monopoly Law of China facing efficacy challenges from the ongoing mixed-ownership reform 61

The efficacy of China's Anti-Monopoly Law 2007 (AML) has been challenged by State intervention since the adoption of the AML. Observed by China's chief antitrust policymaker and regulatory authority, the 2020 AML reform proposals were launched to establish AML's supremacy and achieve competitive neutrality. However, the ongoing Mixed-ownership reforms demonstrate the 2020 reform proposals are inefficacious in restricting State intervention.

ASSOC. PROF. DR KEREM CEM SANLI
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Remarks on Turkish Competition Authority's Preliminary Report on E-Marketplace platforms 74

The Turkish Competition Authority published the E-Marketplace Platforms Sector Review Preliminary Report which covers the characteristics of e-marketplace platforms together with the economic problems they cause. The Report recommends strengthening the secondary legislation applicable to the e-marketplaces; advocates the adaption of the platform code of conduct and recommends an ex ante regulation for the gatekeeper platforms.

ZHANG SHI-MING

Balance and co-ordination: jurisprudential analysis of the efficiency defence in merger reviews 79

The efficiency defence plays a key role in merger reviews. The academic analysis of the issue among economists propels the reform of judicial practices, while the current research on the efficiency defence conducted by economic law scholars is largely myopic due to their attachment to economics and their case-by-case attitude. A new path of interpretation has yet to be made on its own sake. This article presents a cross-contrast of the US and the EU in terms of the adoption of the efficiency defence and its progress, in which the justification for the efficiency defence and the principle of proportionality are wholly taken into account from a perspective of jurisprudential methodology, in order to lay a methodological foundation for the specific analysis of efficiency defence issues and the construction of an efficiency defence system in China. Bridging "instrumental rationality" and "value rationality", this study emphasises that competition law shall stick to the ideas of economic law while embracing a more economic approach.

Comment

ANKIT SINGH RAJPUT

Concept of "collective dominance": is it a dire need for India? Comparative EU perspective 97

The absence of the concept of "collective dominance" in the Indian competition law regime has led the Commission to close the complaints against the multiple alleged parties despite having strong evidence against them. This article analyses the position of collective dominance in India with reference to the European Union, concluding why it is necessary to include the concept of collective dominance in the Indian antitrust regime.

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