FACULTY OF JURIDICAL SCIENCES

COURSE: B.B.A.LL.B. IX th Semester

SUBJECT: COMPETITION LAW

SUBJECT CODE: BBL 901

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LECTURE 20

TOPIC: ABUSE OF DOMINANT POSITION

Factors to determine the dominant position

Dominance has been customarily characterized as far as the part of the market share of the enterprise or group of undertakings are concerned. In any case, various different elements assume a role in deciding the impact of an undertaking or a group of endeavors in the market. These include:

1. a market share.
2. the size and assets of the undertaking.
3. size and significance of contenders or competitors.
4. the financial intensity of the undertaking.
5. a vertical combination or integration.
6. a reliance on customers on the undertaking or undertaking.
7. degree of section and exit barriers in the market.
8. countervailing purchasing power.
9. market structure and size of the market.
10. a source of dominant position viz. regardless of whether acquired because of resolution or statute and so on.
11. social expenses and commitments and commitment of big business getting a charge out of the prevailing situation to financial improvement.

The Competition Commission of India is additionally approved to consider whatever other factors which it might think about applicability for the assurance of dominance.

Exercise:

1. Abuse of Dominant position has been provisioned under which section of Competition Act, 2002

a) 3
b) 4
c) 5
d) 6

2. Dominant position means a position of strength enjoyed by an enterprise in _____ in India

a) Open market
b) Free market
c) Relevant market
d) Controlled market

3. Predatory Price is defined under explanation to section _____ of Competition Act, 2002

a) 6
b) 5
c) 8
d) 4

4. _____ of Competition Act, 2002 states that no enterprise or group shall be permitted to abuse its dominant position

a) 4
b) 5
c) 6
d) 8

5. Which section of Competition Act, 2002 defines combinations?

a) 4
b) 5
c) 6
d) 8