

ISSUES PRECEDING CCI INVESTIGATION OF ABUSE OF DOMINANCE IN SEP CASES

ITS RELEVANCE AT THE STAGE OF
INVESTIGATION AGAINST SEP HOLDERS

Indranath Gupta & Vishwas Hebbidrumetlu Devaiah

Comments by Richard Sousa

January 12, 2017



GOOD

- Introduction to alphabet soup
- Summary of CJEU process
- Call for transparency
- Section 4

NOT AS GOOD

- Introduction to alphabet soup
- Scope and audience
- Organization
- Tables

UGLY

- Long appendix



GOOD

Alphabet soup

CJEU process

Call for transparency

Section 4

NOT AS GOOD

Alphabet soup

Scope and audience

Organization

Tables

Organization

- Two different papers
- Move “lessons learned”
- Long diversion with Tables 1, 2, 3, 4

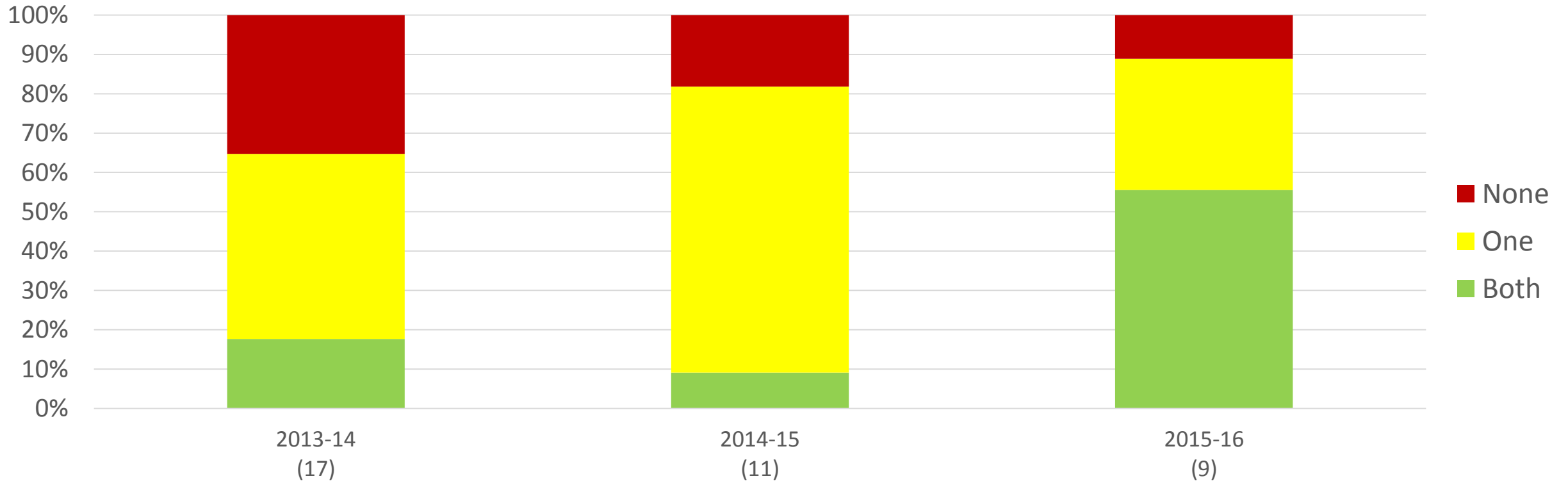
Tables 1, 2, 3, 4

- What are these data are telling us?
- Tables should tell a sequential story
- What percentage of cases filed are actually heard?
- Only $\frac{1}{3}$ of cases makes it to Director General for investigation

Orders under Competition Act, Section 26(1)

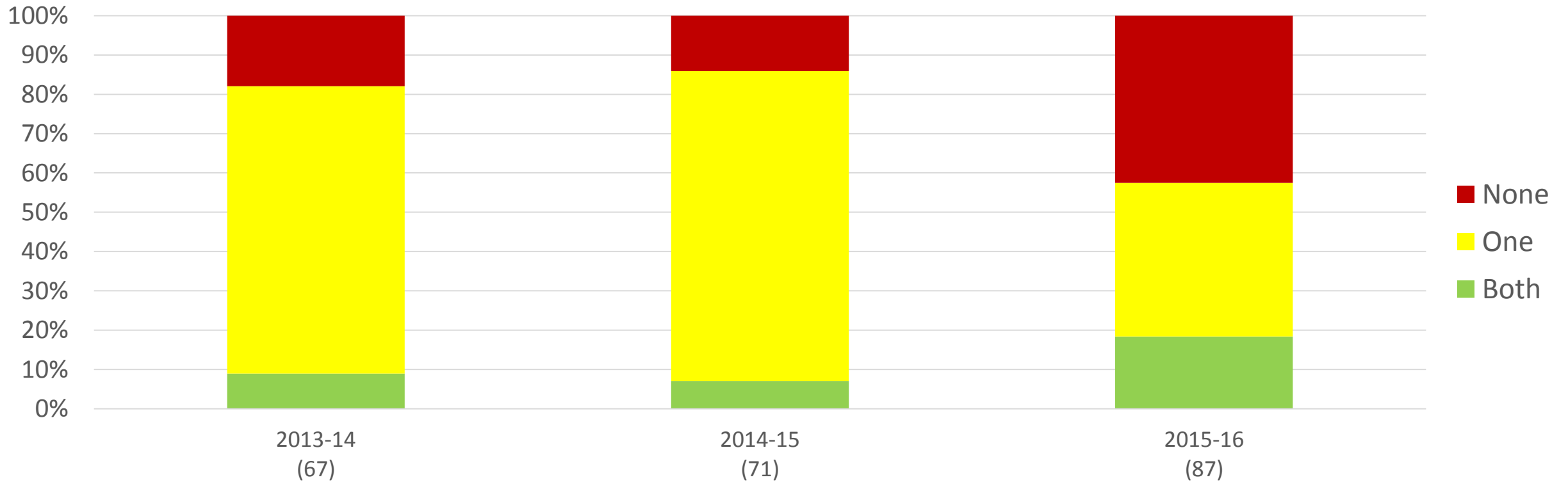
Detailed Investigation

Parties Heard by Commission During Investigation



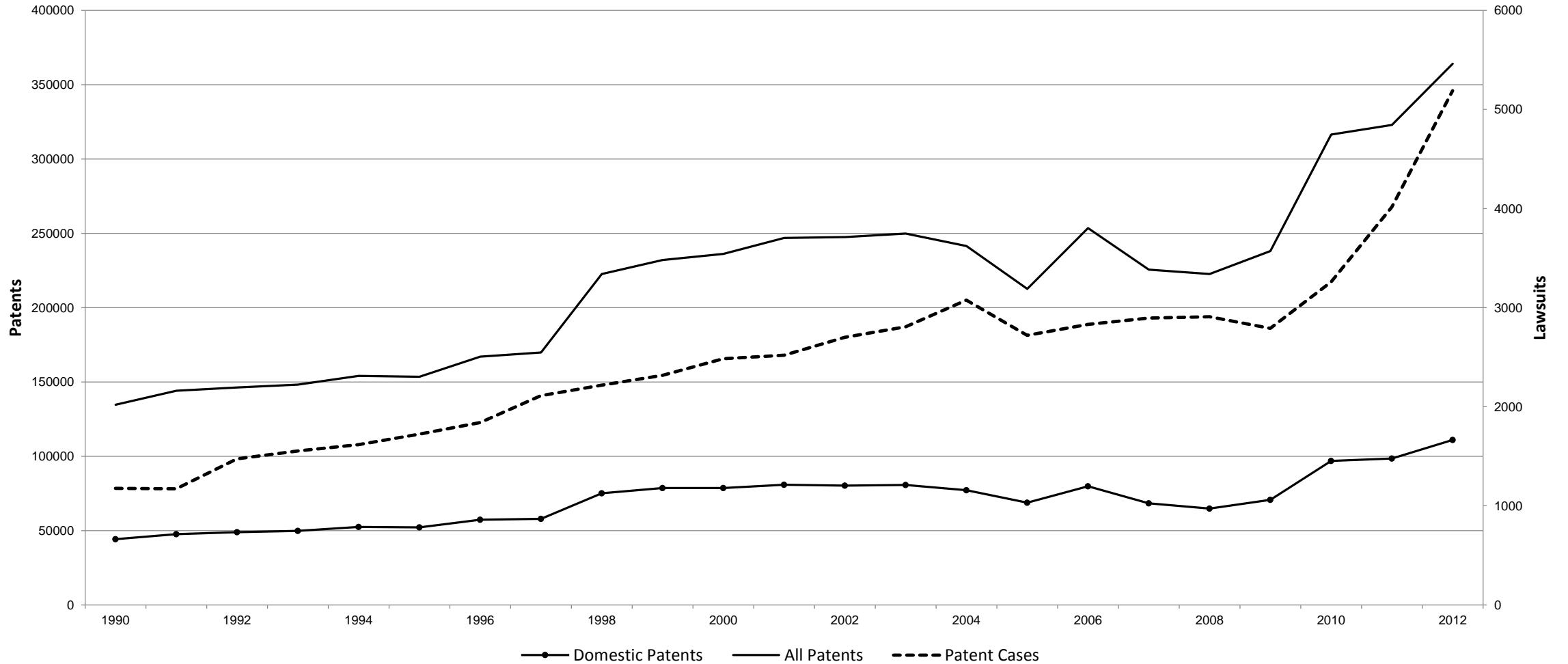
Orders under Competition Act, Section 26(2) Dismissal

Parties Heard by Commission During Investigation

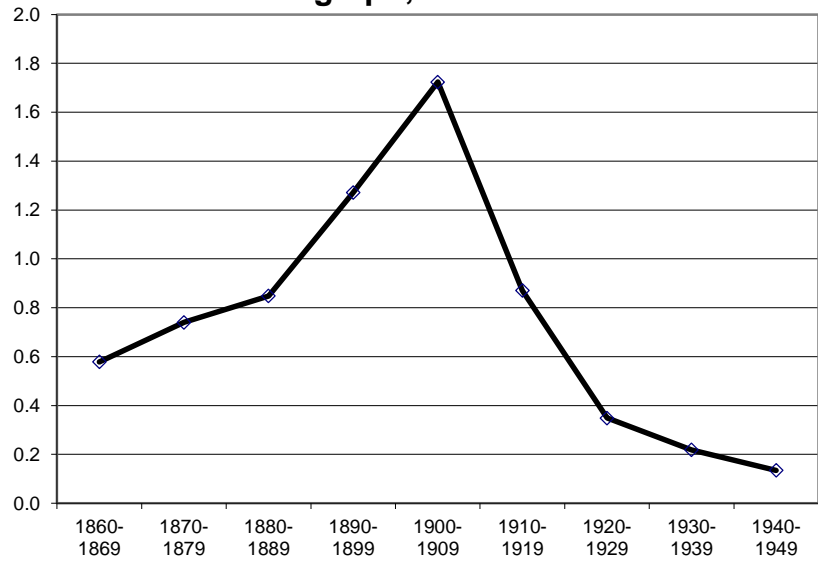


“litigation frenzy” p. 4

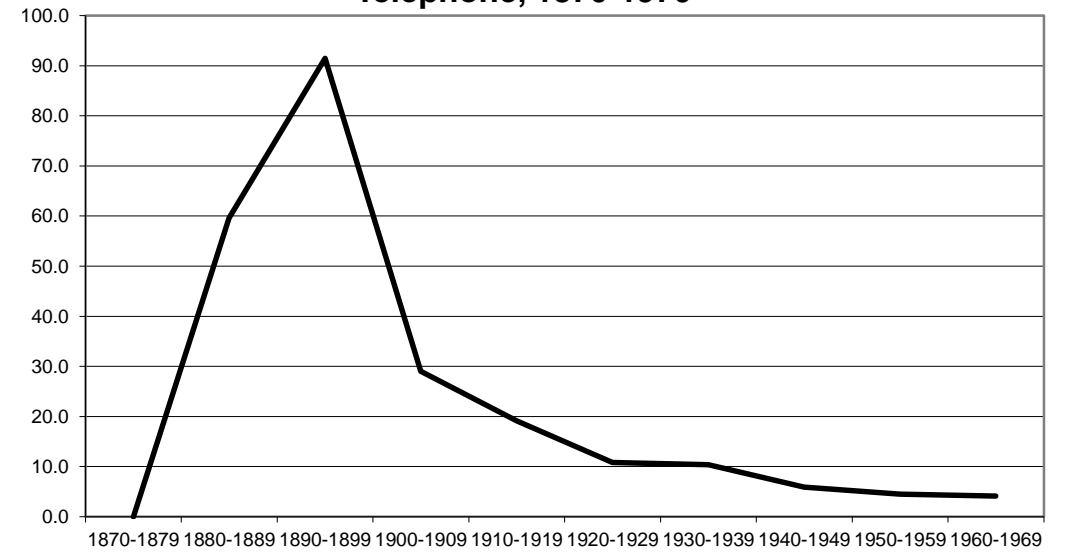
Patent Litigation in US, 1990-2012



Telegraph, 1860-1950



Telephone, 1870-1970



Automobiles, 1900-1945

