

Application of competition law on the markets with multisided platforms

Abstract

This rigorous thesis deals with a phenomenon of multisided platforms from the competition law perspective with a special focus on online multisided platforms. A notion of multisided platforms is explained in the thesis as well as its implications for the competition law. It is then examined how a market structure of a multisided platform influences a process of delimitation of a relevant market and assessment of a market power as two basic pillars of every competition law analysis. Theoretical findings are then confronted with a selected decision-making practice of EU and national competition authorities dealing with the phenomenon of multisided platforms.

The thesis is structured into four main chapters. Chapter One contains a brief introduction into the subject-matter and sets out goals of this thesis which are to present the phenomenon of multisided platforms, explore its specifics and show how the methods of competition law analysis needs to be adapted in other to correctly assess all the specifics of the multisided platforms.

Chapter Two presents various definitions of multisided platforms in academic literature. Potential categories of multisided platforms are presented in this chapter. The notion of multisided platforms is differentiated from the notion of shared economy. Critical views concerning regulation of multisided platforms are also presented in this chapter.

Chapter Three is divided into two subchapters. The first subchapter deals with a notion of relevant market and its delimitation in the competition law. First, theoretical concepts of relevant market are presented. The specifics of multisided platforms with relation to the delimitation of the relevant market are then presented. In the end of the first subchapter selected decision-making practice of the EU and national competition authorities is examined with focus on aspects related to delimitation of the relevant markets in the context of multisided platforms businesses. The second subchapter is oriented on a notion of market power and its assessment.

An explanation of traditional methods of assessment of the market power is given. The thesis then explains the specifics of an assessment of a market power in the context of multisided platforms. In the end of the second subchapter a selected decision-making practice of EU and national competition authorities is examined with focus on assessment of the market power in the context of multisided platforms.

Chapter Four summarizes the conclusions of this rigorous thesis. It is concluded that multisided platforms do not represent an entirely new competition law phenomenon. It is then concluded that what is difficult for the competition authorities is the assessment of online multisided platforms. It is noted that the competition authorities tend to conservative approaches while dealing with the multisided platforms in their decision-making practice.

Keywords

multisided platforms, competition law, relevant market, market power, network effects