

**Title:** European Competition Law in the Area of Information and Communication Technologies

## **Abstract**

The world of information and communication technologies develops with a tremendous speed. This pace is something that we need to adjust to, and the EU competition law represents no exception. This thesis concerns development of European competition law in the area of information technologies enabling communication between users. The scope of these technologies is narrowed to telecommunications and so called OTT applications, as both demonstrate best the differences caused by dynamic development.

In the area of telecommunications the analysis starts with a brief introduction of historical development triggered by process of liberalisation, and continues with the analysis of the decision making of both the Commission and the CJEU. All the areas of competition law are included – articles 101 and 102 of the TFEU, control of concentrations and to certain extent also state aid. Attention is dedicated also to consequences of roaming and of its cancellation, which is about to happen in the upcoming years. A lot of focus is aimed on the Commission's decisionmaking in merger control, where we can assume a development of a certain blueprint. In the area of the OTT applications, we introduce their concept, and a lion share of this work is dedicated to their specific features. We ask ourselves a question whether these features require a slightly different approach concerning the analysis of the Commission. This leads us to the last chapters of the thesis, which are dedicated to data protection aspects of the communication technologies, and also mentions new legislation concerning private enforcement.

The aim of this thesis is to compare the two chosen areas – telecommunications and the OTT, and the way European competition law deals with their specific features. It also attempts to estimate future developments. Nevertheless, the conclusion also provides some room for asking ourselves questions which have been left unanswered by the Commission and the CJEU, and answers to which we will find in the upcoming years.