

Seat No.: _____

No. of Printed Pages : 1

[A-3/A-11/A-19]

SARDAR PATEL UNIVERSITY

B.A/ B.B.A/ B.COM.,LL.B. (HON.) (V YEAR INTEGRATED LAW)

Ninth Semester Examinations

2016

Monday, 28th November

10.00 A.m. to 12.00 A.m.

UL09CBLH05: COMPETITION LAW (BL) HON.-VI

Marks 50

Q1. Problems:

A) A truck manufacturing company proposes to enter into distributorship agreement requiring the dealers not to sell truck outside the territory assigned to them. Examine whether it would be considered as anti-competitive agreement with relevant case laws? [05]

B) If a film producer gave his film to some particular distributors to release that to some specified movie hall, that type of practice done by the producer restrict competition in the market or not with relevant case laws? [05]

OR

C) Fab Ltd. manufacture of footwear entered into an agreement with city readers for sell of its products. The agreement includes among others, the following:

1. That the purchaser shall not sell the goods manufactured by the Seller outside the municipal limits of the city.
2. That the purchaser shall not deal with goods, products, and articles by whatever Names called manufactured used by any person other than the seller.
3. That the purchaser shall sell the goods manufactured by the seller at the price as embossed on the price lower than those embossed on the price level.

You are required to examine with relevant provisions of the competition Act, 2002 the validating of the above. [10]

Q2. Explain conflict of Competition Policy and Patent Policy with case laws. [15]

Or

Q2. What are the factor which the competition Commission of India shall take to considered to ascertain whether an agreement has an appreciable adverse effect on competition under the Competition Act,2002? [15]

Q3.What do you understand by the word competition in the market? In what way competition kill Competition? Discuss [15]

Or

Q3. 'The competition Act does not prohibit the dominance but the abuse of dominant position'. Comment. [15]

Q4.Short Notes (Any two) [10]

- a) Bid Rigging
- b) Cartel
- c) Competition advocacy
- d) Open market

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