

## DIGITAL PLATFORMS AND ABUSE OF DOMINANCE UNDER COMPETITION LAW

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**BEST CITATION** – ASHIMA GUPTA & DR. SUSANTA KUMAR SADANGI, DIGITAL PLATFORMS AND ABUSE OF DOMINANCE UNDER COMPETITION LAW, *INDIAN JOURNAL OF LEGAL REVIEW (IJLR)*, 6 (6) OF 2026, PG. 28-43, APIS – 3920 – 0001 & ISSN – 2583-2344.

### ABSTRACT

The exponential rise of digital platforms over the past two decades has irrevocably altered the architecture of modern markets. Unlike conventional businesses operating within linear supply chains, digital platforms function as multi-sided intermediaries governed by strong network effects, data-intensive business models, and algorithmic decision-making. These structural features rarely present in traditional industries allow a handful of firms to entrench significant market power with remarkable speed. While competition law has long accepted that dominance per se is not unlawful, the abuse of that dominance in platform ecosystems raises complex and novel legal questions, particularly where services are rendered without monetary charge and user data constitutes the primary competitive resource.

This paper examines how the doctrine of abuse of dominance is being tested and reshaped by platform-centric business models. It identifies key markers of digital dominance including data control, gatekeeping power, switching costs, and vertical integration and analyses the principal forms of abusive conduct encountered in online markets: predatory pricing, self-referencing, tying and bundling, exclusionary contracting, and exploitative data practices. Drawing on enforcement experiences across India, the European Union, and other major jurisdictions, the paper assesses how regulatory bodies are adapting existing legal frameworks to address emerging anti-competitive behavior.

The paper further engages with the practical difficulties that confront competition authorities, including market definition in zero-price settings, assessment of non-price harm, and the tension between preserving innovation incentives and ensuring effective enforcement across borders. Against the backdrop of the EU's Digital Markets Act (DMA) and India's proposed Digital Competition Bill, the paper argues for a forward-looking regulatory strategy that combines responsive ex-post enforcement with carefully calibrated ex-ante obligations for dominant digital gatekeepers.

The central argument of this study is that safeguarding competitive digital markets requires a fundamental reassessment of competition law tools one that takes seriously data concentration, algorithmic transparency, and platform ecosystem dynamics. Only a sophisticated, adaptive legal framework can simultaneously protect innovation, prevent anti-competitive foreclosure, and uphold consumer welfare in an increasingly digitized world.

**KEYWORDS:** Digital platforms, Abuse of dominance, Competition law, Network effects, Data monopoly, Market power.

## INTRODUCTION

The emergence of the digital economy has fundamentally restructured how markets operate, how firms compete, and how consumers access goods, services, and information.<sup>107</sup> Over the past two decades, digital platforms have become the dominant intermediaries across critical sectors: e-commerce, internet search, social networking, mobile operating systems, digital payments, and application distribution.<sup>108</sup> Companies such as Google, Amazon, Meta, Apple, and Microsoft no longer function merely as tech firms. They have evolved into sprawling digital ecosystems that shape economic exchange, information flows, and the pathways of innovation across entire industries.<sup>109</sup>

What distinguishes digital platform markets from their conventional counterparts is a set of structural characteristics that operate together in mutually reinforcing ways.<sup>110</sup> The market's structure with no real history in previous monopolistic experience are produced by significant direct and indirect network effects, data-driven competitive advantages, systemic management of access and visibility, and multi-sided relationships among consumers, advertisers, developers, and businesses.<sup>111</sup> The consequence, well documented in economic literature, is rapid market concentration and its "winner-takes-most" outcomes, where a single platform achieves near-monopolistic reach within a relatively short window of time.<sup>112</sup>

Competition law, developed primarily to address price-based monopolistic conduct in traditional goods markets, now finds itself confronted with a fundamentally different set of challenges.<sup>113</sup> Classical antitrust analysis centers

on price increases, output restrictions, or quantifiable consumer harm expressed in monetary terms. Yet in digital markets, the most significant platforms often offer their services at zero price, generating revenue instead through advertising, data monetization, and cross-subsidization arrangements. This structural shift compels a rethinking of the foundational instruments of antitrust: market definition, dominance assessment, and the very meaning of consumer welfare.<sup>114</sup>

In India, abuse of a dominant position is prohibited under Section 4 of the Competition Act, 2002.<sup>115</sup> The Competition Commission of India (CCI) assesses dominance against a range of factors market share, economic resources, consumer dependence, and barriers to entry but the framework was drafted with traditional market structures in mind.<sup>116</sup> Its application to digital platforms has produced intricate interpretive questions: How should relevant markets be defined when multi-sided interactions blur the boundaries between distinct product categories? How should dominance be measured when services are free but data control is pervasive? How can enforcers reliably distinguish vigorous competition from exclusionary conduct that merely mimics it?

The concept of dominance abuse in digital markets has likewise expanded well beyond the classical catalogue of exclusionary practices. Algorithmic bias, bundling of digital services, preferential positioning, exclusive dealing arrangements, discriminatory service conditions, and exploitative data harvesting now constitute the practical frontline of digital antitrust enforcement. The dual role of data simultaneously as an engine of service improvement and a potential instrument of exclusion sits at the heart of these debates. Similarly, the gatekeeping function that major platforms exercise over access to online

<sup>107</sup> Organisation for Economic Co-operation and Development, *Digital Economy Outlook* (2020)

<sup>108</sup> United Nations Conference on Trade and Development, *Digital Economy Report* (2019).

<sup>109</sup> The Economics of Platforms, Cambridge University Press, 2021.

<sup>110</sup> Organisation for Economic Co-operation and Development, *Rethinking Antitrust Tools for Multi-Sided Platforms* (2018)

<sup>111</sup> European Commission, *Competition Policy for the Digital Era* (2019).

<sup>112</sup> The Economics of Platforms, Cambridge University Press, 2021.

<sup>113</sup> Competition Law, 2nd edn., LexisNexis, 2019

<sup>114</sup> United Nations Conference on Trade and Development, *Competition Issues in the Digital Economy* (2019).

<sup>115</sup> Competition Act, 2002, s. 4.

<sup>116</sup> Competition Act, 2002, s. 19(4)

markets raises profound concerns about fairness, contestability, and competitive entry that no existing legal framework has fully resolved.

This paper seeks to contribute to this ongoing conversation by examining how abuse of dominance doctrine is evolving in response to platform economics. It analyses how competition law principles are being reinterpreted for the digital context, surveys comparative regulatory developments, and makes the case for a more proactive regulatory stance that supplements traditional enforcement with targeted ex-ante requirements. In doing so, it engages not only with what the law currently says but with what it must become if it is to remain fit for purpose in an era defined by platform capitalism.

### **OBJECTIVE OF THE STUDY**

The primary aim of this paper is to offer a rigorous and contextualized analysis of how the doctrine of abuse of dominance operates and where it falls short in relation to digital platform markets. Given the distinctive economic characteristics of these markets, including network effects, data aggregation, multi-sided dynamics, and algorithmic control, the central question is whether existing competition law frameworks are adequately equipped to address the anti-competitive behaviors that digital dominance enables.

The specific objectives guiding this research are as follows:

- To examine the legal concept of dominance under competition law, particularly Section 4 of the Competition Act, 2002, and critically assess its application to digital platform markets.<sup>117</sup>
- To identify and analyze the structural economic characteristics of digital platforms including network effects, data-enhanced barriers to entry, switching costs, and ecosystem

dynamics that drive rapid market concentration.<sup>118</sup>

- To map and assess the principal forms of abusive conduct occurring in digital markets, spanning predatory pricing, self-referencing, tying and bundling, exclusive dealing, and exploitative data practices.<sup>119</sup>
- To examine enforcement trends and regulatory strategies adopted by the CCI and the European Commission in responding to digital dominance.<sup>120</sup>
- To evaluate the adequacy of existing legal frameworks in addressing the distinctive challenges posed by zero-price markets, data control, and algorithmic decision-making.<sup>121</sup>

### **RESEARCH METHODOLOGY**

This study employs a doctrinal and analytical research methodology to examine dominance abuse by digital platforms within competition law. The research is primarily qualitative in nature, engaging systematically with legal texts, judicial and regulatory decisions, policy instruments, and academic commentary.<sup>122</sup>

### **Nature of Research**

The study is both descriptive and evaluative. It maps the existing legal architecture governing abuse of dominance and critically assesses how that framework performs when applied to the structural realities of digital markets.<sup>123</sup>

### **Sources of Data**

The research draws exclusively on secondary sources. The Primary legal materials include the Competition Act, 2002, the Treaty on the Functioning of the European Union, and the Digital Markets Act (Regulation (EU

<sup>118</sup> Organisation for Economic Co-operation and Development, *Rethinking Antitrust Tools for Multi-Sided Platforms* (2018).

<sup>119</sup> United Nations Conference on Trade and Development, *Competition Issues in the Digital Economy* (2019)

<sup>120</sup> Competition Commission of India, *Market Study on E-commerce in India* (2020)

<sup>121</sup> United Nations Conference on Trade and Development, *Digital Economy Report* (2019)

<sup>122</sup> Research Methodology, 2nd edn., New Age International, 2004

<sup>123</sup> Ibid

<sup>117</sup> Competition Act, 2002, s. 4.

2022/1925).<sup>124</sup> Institutional sources include the orders and the decisions of the Competition Commission of India, the rulings of the European Commission, and the reports from bodies such as the OECD and UNCTAD. Academic literature covers peer-reviewed articles, specialized competition law texts, and comparative policy analyses from leading competition jurisdictions. Regulatory consultation papers and government reports particularly from the Committee on Digital Competition Law (India) and the UK Competition and Markets Authority have also informed the analysis.<sup>125</sup>

### **CONCEPT OF DOMINANCE UNDER COMPETITION LAW**

Dominance is the foundational concept around which abuse of dominance doctrine is constructed. Its legal and economic significance has grown considerably with the rise of digital markets, prompting a reassessment of how dominance should be identified, measured, and understood in technology-intensive sectors.<sup>126</sup>

#### **Defining Dominance**

Dominance denotes an economic position of strength that enables a firm to act, to an appreciable degree, independently of competitive constraints, customers, and ultimately consumers.<sup>127</sup> It represents the capacity to sustain market behavior that would be unsustainable in conditions of effective competition.<sup>128</sup>

A position of power, according to Section 4 of the Competition Act, 2002, is one that permits a business to function independently of the competitive forces prevalent in the relevant market or to sway competitors, customers, or market conditions in its favor.<sup>129</sup> This formulation

draws conceptually from the European Court's articulation of dominance in *Hoffmann-La Roche v. Commission*, where the Court described it as the ability to prevent effective competition being maintained on the relevant market.<sup>130</sup>

#### **Identifying the Relevant Market**

Dominance cannot be meaningfully assessed without first delineating the relevant market, which serves as the frame of reference against which competitive strength is measured.<sup>131</sup> The relevant market has two dimensions:

- Relevant Product Market: the set of goods or services that are reasonably interchangeable by consumers in terms of characteristics, price, and intended use. Substitutability assessed empirically through demand-side evidence defines its scope.<sup>132</sup>
- Relevant Geographic Market: the territory within which conditions of competition are sufficiently homogeneous and distinguishable from neighboring areas.<sup>133</sup>

In digital markets, this exercise becomes considerably more complex.<sup>134</sup> Multi-sided platforms, zero-price services, and ecosystem-based competition all challenge the conventional substitutability framework.<sup>135</sup> A social networking platform, for instance, may simultaneously operate in markets for social networking services (user-side), digital advertising (advertiser-side), and potentially others. Whether these should be treated as separate relevant markets or as components of a unified ecosystem market remains a live and contested analytical question.

<sup>124</sup> Competition Act, 2002; Treaty on the Functioning of the European Union; Digital Markets Act, Regulation (EU) 2022/1925

<sup>125</sup> Ministry of Corporate Affairs, *Report of the Committee on Digital Competition Law* (2024); Competition and Markets Authority, *Digital Markets Framework* (2024)

<sup>126</sup> Organization for Economic Co-operation and Development, *Abuse of Dominance in Digital Markets* (2020)

<sup>127</sup> *United Brands v Commission* [1978] ECR 207

<sup>128</sup> Competition Act, 2002, s. 4 Explanation (a)

<sup>129</sup> Competition Act, 2002, s. 4 Explanation (a)

<sup>130</sup> *Hoffmann-La Roche v Commission* [1979] ECR 461

<sup>131</sup> Competition Law, 2nd edn., LexisNexis, 2019.

<sup>132</sup> Competition Act, 2002, s. 2(f)

<sup>133</sup> Competition Act, 2002, s. 2(s)

<sup>134</sup> Organization for Economic Co-operation and Development, *Rethinking Antitrust Tools for Multi-Sided Platforms* (2018)

<sup>135</sup> European Commission, *Competition Policy for the Digital Era* (2019).

### Factors for Assessing Dominance

A partial list of factors relevant to the dominance assessment is provided in Section 19(4) of the Competition Act, 2002. These factors include: market share of the enterprise, size and assets of the company, the and its competitors, economic dominance and commercial benefits, vertical incorporation, degree of consumer dependence, entry barriers (legal, financial, and technological), and the countervailing buying power of customers<sup>136</sup>. Market share, while an important starting indicator, is not determinative.<sup>137</sup> A persistently high market share may be consistent with dominance, but regulators also attend carefully to the structural conditions in which that share is held.

### Indicators of Market Power

From an economic perspective, a firm may be regarded as dominant when it demonstrably possesses the ability to raise prices profitably without a significant loss of customers; control over key resources, facilities, or bottlenecks; significant barriers that deter or delay entry; network effects that entrench its market position; or privileged access to technology or data that rivals cannot readily replicate.<sup>138</sup>

In digital environments where services are provided without charge, non-price factors become critical diagnostic tools. Quality degradation, reduced innovation, and erosion of privacy standards have increasingly been recognized as consumer harms capable of signaling an exercise of market power, even in the absence of price evidence.<sup>139</sup>

### Dominance in Digital Markets: Structural Peculiarities

Assessing dominance in digital markets requires grappling with several platform-

specific dynamics that have no direct parallel in traditional markets.<sup>140</sup>

**Network Effects:** The value a user derives from a platform typically increases as more users join, creating a self-reinforcing dynamic that is difficult for late entrants to overcome.<sup>141</sup>

**Data Accumulation:** Access to large proprietary datasets enhances algorithmic performance, personalization, and service quality in ways that new entrants lacking comparable data stocks cannot easily replicate.<sup>142</sup> This establishes a data-driven feedback loop that compounds over time.

**Multi-Sided Interactions:** Platforms simultaneously serve multiple user groups whose demands are interlinked, complicating market definition and power assessment. Pricing on one side of the platform cannot be evaluated in isolation from the economic relationships on the other.

**Ecosystem Lock-in:** Switching costs arise not only from direct monetary expense but from the accumulated investment users make in a platform's ecosystem stored data, learned interfaces, connected devices, and integrated services.<sup>143</sup> These create structural stickiness that sustains market power even without formal exclusionary conduct.

### DIGITAL PLATFORMS AND MARKET POWER

The emergence of digital platforms has produced competitive dynamics that differ qualitatively from those observed in traditional product markets.<sup>144</sup> Rather than functioning within linear supply chains, digital platforms act as multi-sided intermediaries whose primary function is to facilitate interactions among distinct groups of users.<sup>145</sup> Understanding how these platforms acquire and sustain market

<sup>136</sup> Competition Act, 2002, s. 19(4)

<sup>137</sup> Competition Law, 2nd edn., LexisNexis, 2019

<sup>138</sup> The Economics of Platforms, Cambridge University Press, 2021

<sup>139</sup> Organization for Economic Co-operation and Development, *Quality Considerations in Digital Markets* (2018)

<sup>140</sup> Organization for Economic Co-operation and Development, *Rethinking Antitrust Tools for Multi-Sided Platforms* (2018)

<sup>141</sup> The Economics of Platforms, Cambridge University Press, 2021

<sup>142</sup> United Nations Conference on Trade and Development, *Digital Economy Report* (2019)

<sup>143</sup> Competition Commission of India, *Market Study on E-commerce in India* (2020)

<sup>144</sup> Organization for Economic Co-operation and Development, *Rethinking Antitrust Tools for Multi-Sided Platforms* (2018)

<sup>145</sup> European Commission, *Competition Policy for the Digital Era* (2019)

power is indispensable to any analysis of dominance under competition law.

### The Economics of Platform Markets

Digital platforms are technology-enabled enterprises that create value by reducing frictions between two or more interdependent user groups. Google's search engine connects users seeking information with advertisers seeking audiences; Amazon connects consumers with third-party merchants; Apple's App Store connects developers with device users. The economic logic is consistent: value on each side of the platform is partly a function of participation on the other sides.<sup>146</sup>

This multi-sided structure has profound implications for competitive analysis. Pricing, access conditions, and strategic choices on one side of the platform cannot be properly understood in isolation from their effects on other sides. Traditional single-market frameworks, built on the assumption of bilateral seller-buyer relationships, capture only part of what is actually happening in platform-mediated markets.<sup>147</sup>

### Network Effects as a Driver of Market Concentration

Among the most consequential features of digital platforms are network effects, which operate in both direct and indirect forms. Direct network impacts occur when a platform's overall user base grows, increasing each user's value. This is a trend seen in social media services, where each new member expands the number of possible connections for all current members.<sup>148</sup> Indirect network effects, by contrast, arise where growth on one side of the platform enhances value on the other: a larger pool of consumers attracts more merchants, and a broader merchant selection in turn attracts more consumers.

Powerful network effects generate what economists describe as "winner-takes-most" market structures: rational users gravitate toward whichever platform already hosts the largest network, making competitive entry progressively harder for latecomers. The resulting concentration is self-reinforcing, as the dominant platform's scale continuously refreshes the competitive advantages that underpinned its rise.<sup>149</sup>

### Data as a Structural Competitive Advantage

Similar to profitable assets in traditional industries, data has taken on an essential part in the digital age, driving quality of service, facilitating individualization, and promoting enterprise intelligence, forecasting, and personalized advertising.<sup>150</sup> Platforms that accumulate comprehensive, high-quality datasets gain competitive advantages that are difficult to replicate. New entrants, who by definition lack the historical data stocks of established platforms, face a structural disadvantage that no operational efficiency can readily overcome.<sup>151</sup>

### Economies of Scale and Scope

Digital platforms benefit from pronounced economies of scale, since the marginal cost of serving an additional user is typically negligible once core infrastructure is established.<sup>152</sup> This cost structure enables established platforms to grow rapidly while maintaining cost advantages that smaller rivals cannot match. Beyond scale, platforms also exploit economies of scope by leveraging existing infrastructure, user relationships, and data across adjacent markets.<sup>153</sup> A company with dominance in internet search can extend into cloud computing, digital advertising, payments, or mapping services using essentially the same underlying competitive assets broadening its

<sup>146</sup> Ibid

<sup>147</sup> United Nations Conference on Trade and Development, *Digital Economy Report* (2019)

<sup>148</sup> Organization for Economic Co-operation and Development, *Rethinking Antitrust Tools for Multi-Sided Platforms* (2018)

<sup>149</sup> Organization for Economic Co-operation and Development, *Rethinking Antitrust Tools for Multi-Sided Platforms* (2018)

<sup>150</sup> United Nations Conference on Trade and Development, *Digital Economy Report* (2019)

<sup>151</sup> Ibid

<sup>152</sup> The Economics of Platforms, Cambridge University Press, 2021

<sup>153</sup> European Commission, *Competition Policy for the Digital Era* (2019)

ecosystem and deepening market influence across multiple sectors.

### Switching Costs and Lock-in

Users of digital platforms often accumulate significant switching costs over time.<sup>154</sup> These costs are not merely financial, but they also include the loss of built-up data, the disruption of well-developed workflows, the inability to integrate with other connected devices and services, and the psychological friction of relearning the new interface.<sup>155</sup> For users deeply embedded within a platform ecosystem with cloud storage, communications, productivity tools, and device management integrated across a single provider the practical cost of migration may be prohibitively high, regardless of the quality or pricing of competing alternatives. This structural stickiness materially diminishes competitive pressure on incumbent platforms and reinforces their market dominance.<sup>156</sup>

### Market Definition Challenges in Platform Ecosystems

Conventional market definition methodology relies primarily on substitutability analysis informed by price sensitivity the hypothetical monopolist test.<sup>157</sup> Digital platforms that offer free services to one side of their market disrupt this methodology fundamentally, since price-based analysis cannot proceed where there is no price to manipulate.<sup>158</sup> Competition agencies have accordingly adapted their analytical frameworks to incorporate non-price competitive dimensions' quality, privacy, innovation, and data stewardship as proxies for consumer welfare. The CCI and the European Commission have each developed sector-specific guidance that attempts to operationalize these broader welfare indicators,

though their application remains contested in practice.<sup>159</sup>

### FORMS OF ABUSE IN DIGITAL MARKETS

Competition law prohibits the abuse of dominance, not its mere possession.<sup>160</sup> In digital markets, abusive conduct takes forms that are simultaneously familiar in conceptual terms and novel in their technical manifestation. The following categories represent the principal types of abuse identified by competition authorities across major jurisdictions.<sup>161</sup>

#### 1. Exclusionary Practices

Exclusionary abuses are those that foreclose competition by weakening or removing rivals from the market, thereby entrenching or extending dominance.<sup>162</sup>

##### (a) Predatory Pricing and Below-Cost Strategies

Predatory pricing involves a dominant firm pricing below cost with the strategic intention of eliminating rivals, followed by a phase of recoupment through post-predation price increases.<sup>163</sup> In digital markets, this conduct is more nuanced: platforms may sustain extended periods of below-cost pricing funded by venture capital or cross-subsidization from other market sides, with profitability predicated not on immediate pricing gains but on long-term data monetization or ecosystem lock-in. The e-commerce sector has generated substantive discussion about whether deep-discount strategies by marketplace operators constitute legitimate competitive behavior or predation designed to foreclose rival merchants. Identifying predatory intent in zero-price markets demands a more sophisticated analytical approach than the traditional cost-comparison tests developed for conventional goods markets.<sup>164</sup>

<sup>154</sup> Organization for Economic Co-operation and Development, *Switching Costs in Digital Markets* (2020)

<sup>155</sup> European Commission, *Competition Policy for the Digital Era* (2019)

<sup>156</sup> Competition Commission of India, *Market Study on E-commerce in India* (2020)

<sup>157</sup> Competition Law, 2nd edn., LexisNexis, 2019.

<sup>158</sup> Organization for Economic Co-operation and Development, *Rethinking Antitrust Tools for Multi-Sided Platforms* (2018)

<sup>159</sup> Competition Commission of India, *Market Study on E-commerce in India* (2020); European Commission, *Competition Policy for the Digital Era* (2019).

<sup>160</sup> Competition Act, 2002, s. 4.

<sup>161</sup> Organization for Economic Co-operation and Development, *Abuse of Dominance in Digital Markets* (2020)

<sup>162</sup> Competition Law, 2nd edn., LexisNexis, 2019

<sup>163</sup> AKZO Chemie BV v Commission [1991] ECR I-3359

<sup>164</sup> European Commission, *Competition Policy for the Digital Era* (2019)

### (b) Exclusive Dealing and Platform Parity Clauses

Dominant platforms may deploy exclusive dealing arrangements and most-favored-nation (MFN) clauses to foreclose rivals by restricting the commercial options available to dependent businesses. Provisions that prevent sellers from offering better terms on competing platforms eliminate the prospect of multi-homing the ability of users or sellers to participate simultaneously in multiple platforms which is one of the principal mechanisms through which competitive pressure on dominant platforms is maintained. By constraining multi-homing, these arrangements reduce contestability and reinforce the dominant platform's market position without any corresponding efficiency justification.<sup>165</sup>

## 2. Exploitative Abuses

Where exclusionary abuses target rivals, exploitative abuses impose unfair conditions directly on customers or business users who have no viable alternative to the dominant platform.<sup>166</sup>

### (a) Unfair Terms and Conditions

When a dominant platform operates on a take-it-or-leave-it basis with dependent business users, standard contractual terms that would be commercially unacceptable in a competitive market may instead be imposed at will.<sup>167</sup> Unilateral variation clauses, highly restrictive dispute resolution provisions, and broadly worded intellectual property assignments have attracted regulatory scrutiny in several jurisdictions. Where the imposition of such terms reflects an absence of viable alternatives rather than genuine commercial negotiation, competition law may treat them as exploitative,

particularly where they generate consumer harm as a downstream consequence.<sup>168</sup>

### (b) Data Exploitation

Issues arising at the interface of the competition laws and data protection law are raised by dominant platforms' collection and marketing of user data.<sup>169</sup> A dominant platform may collect personal data in quantities that serve no discernible service-improvement purpose; combine data from multiple services or third-party sources without meaningful user consent; or use commercially sensitive data obtained from business users to inform and advantage its own competing operations. Where data exploitation reinforces market dominance or causes direct consumer harm whether through privacy degradation or the elimination of genuine user choice competition law enforcement is increasingly regarded as a legitimate and necessary response.<sup>170</sup>

## 3. Tying and Bundling

Tying occurs when a dominant firm conditions access to one product or service on the acceptance of a separate and distinct product or service.<sup>171</sup> Bundling involves the combined sale of products in a manner that disadvantages competitors who supply only one component. In digital markets, tying and bundling are ubiquitous: pre-installation of applications, linking of operating systems to proprietary browser or search services, and requirements to use a platform's own payment infrastructure are all examples of conduct that has attracted regulatory attention. The CCI's finding against Google in relation to its Android licensing practices where mandatory pre-installation of the Google Mobile Services suite. It was characterized as an abusive tie illustrates that digital ecosystem arrangements will be

<sup>165</sup> Competition Commission of India, *Market Study on E-commerce in India* (2020).

<sup>166</sup> Competition Law, 2nd edn., LexisNexis, 2019

<sup>167</sup> United Nations Conference on Trade and Development, *Competition Issues in the Digital Economy* (2019)

<sup>168</sup> Organization for Economic Co-operation and Development, *Abuse of Dominance in Digital Markets* (2020)

<sup>169</sup> United Nations Conference on Trade and Development, *Digital Economy Report* (2019)

<sup>170</sup> Organization for Economic Co-operation and Development, *Data-Driven Innovation* (2015)

<sup>171</sup> Competition Law, 2nd edn., LexisNexis, 2019.

scrutinized for their foreclosing effects, not merely their technical form.<sup>172</sup>

#### 4. Refusal to Deal and Denial of Interoperability

A dominant digital platform may exploit its position by refusing access to key infrastructure, data flows, or interoperability standards in ways that prevent rivals from competing effectively.<sup>173</sup> Where access to a platform's infrastructure is genuinely indispensable for market competition and where the refusal cannot be justified on objective grounds it may constitute an abuse akin to refusal to deal with an essential facility.<sup>174</sup> The opacity of many digital interfaces, and the technical complexity of denying interoperability without obvious detection, makes this form of abuse particularly challenging to investigate and enforce.

#### 5. Algorithmic Abuse

The competition awareness of outside companies is directly affected by the ranking, pricing, proposal, and marketing placement choices made by online platforms using analytics.<sup>175</sup>

Where algorithms are designed or calibrated to systematically advantage the platform's own products, disadvantage rivals, or exclude specific categories of users or merchants, they may constitute a form of abuse whose effect is indistinguishable from more traditional exclusionary conduct. The challenge for enforcement agencies is substantial: algorithms are proprietary, technically complex, and subject to continuous modification, rendering their discriminatory character difficult to detect and prove from the outside.<sup>176</sup>

#### LANDMARK CASES

##### 1. Google Android Case (India)

The CCI's investigation into Google's Android ecosystem represents one of the most

consequential exercises of digital competition enforcement in India to date.<sup>177</sup> The Commission examined whether Google had abused its dominant position in the market for licensable smart mobile operating systems in India, and in the market for app stores for Android devices.<sup>178</sup>

The CCI found that Google's insistence on mandatory pre-installation of the full Google Mobile Services (GMS) suite as a condition of device manufacturers' access to the Play Store constituted abusive tying. The requirement to pre-install Google Search and Chrome as non-negotiable defaults was found to impose unfair conditions on OEM partners. Anti-fragmentation agreements that prohibited manufacturers from adopting alternative Android forks were held to stifle competition at the operating system level. The Commission imposed a substantial financial penalty and ordered a suite of behavioral remedies, including greater commercial flexibility for device manufacturers. The case signaled unambiguously that tying and leveraging arrangements embedded within digital ecosystem architecture will face rigorous scrutiny under Indian competition law.<sup>179</sup>

##### 2. Google Shopping Case (European Union)

The European Commission's decision in the Google Shopping case marked a defining moment in EU digital competition enforcement.<sup>180</sup> The Commission found that Google, which held dominant positions in general internet search across almost all EU member states, had systematically positioned its own comparison shopping service more prominently in search results while concurrently demoting competing comparison services through algorithmic adjustments.

The Commission characterized this conduct as self-referencing: a dominant platform using its position in one market to distort competition in

<sup>172</sup> Competition Commission of India, *Google Android Case* (2022).

<sup>173</sup> Organization for Economic Co-operation and Development, *Abuse of Dominance in Digital Markets* (2020)

<sup>174</sup> Oscar Bronner GmbH v Mediaprint [1998] ECR I-7791

<sup>175</sup> European Commission, *Competition Policy for the Digital Era* (2019)

<sup>176</sup> United Nations Conference on Trade and Development, *Digital Economy Report* (2019)

<sup>177</sup> Competition Commission of India, *In Re: Android Mobile Operating System Case* (2022)

<sup>178</sup> Ibid

<sup>179</sup> Competition Commission of India, *Press Release on Google Android Case* (2022)

<sup>180</sup> Google Shopping case, Case AT.39740 (European Commission)

an adjacent market by manipulating the access conditions that rivals who depended on Google's search engine for traffic could obtain.<sup>181</sup> Google was fined €2.42 billion and required to ensure that its comparison shopping service would not receive preferential treatment over competing services. The case established self-referencing as a discrete and legally cognizable form of abuse in digital markets.

### 3. Google Android Case (European Union)

In a related but distinct proceeding, the European Commission found that Google's Android licensing practices constituted a series of coordinated abuses.<sup>182</sup> The Commission determined that Google had made the grant of Play Store licenses conditional on device manufacturers' agreement to pre-install Google Search and Chrome; had made payments to manufacturers and mobile network operators contingent on exclusively pre-installing Google Search; and had contractually prevented manufacturers from offering devices running alternative Android operating system variants.<sup>183</sup>

Each of these arrangements was found to have artificially reinforced Google's dominance in general internet search by foreclosing competing search and browser services from accessing the most important mobile distribution channels.<sup>184</sup> A fine of €4.34 billion was imposed at the time the largest in EU competition law history accompanied by requirements to unwind the offending practices.

### 4. Amazon Marketplace Investigations

Amazon's dual role as both marketplace operator and competing merchant has attracted sustained regulatory attention in multiple jurisdictions.<sup>185</sup> Investigations have focused on whether Amazon systematically used commercially sensitive data obtained from third-party sellers operating on its marketplace to inform and advantage its own

private-label product development a form of data-enabled self-referencing that exploits the information asymmetry inherent in any vertically integrated marketplace. Additional concerns have centered on Amazon's operation of the "Buy Box" feature, which determines which merchant's offer is presented as the default purchase option, and on the competitive effects of MFN clauses that constrain sellers' pricing flexibility on competing platforms.<sup>186</sup>

### 5. Facebook Data Case (Germany)

The Bundeskartellamt's proceedings against Meta (then Facebook) represent a landmark attempt to apply competition law to abusive data practices.<sup>187</sup> The German authority found that Facebook occupied a dominant position in the market for social networks and had imposed exploitative terms of use on consumers by collecting and merging personal data from multiple sources including third-party websites and applications without obtaining the quality of user consent required under data protection law. The authority concluded that this conduct constituted an abuse of dominance, as the mandatory acceptance of these data terms was the price of access to a platform with no realistic substitute. The case demonstrated that where exploitative data practices by a dominant firm harm consumers and simultaneously reinforce market dominance, competition law and data protection law are not merely complementary but mutually reinforcing frameworks.<sup>188</sup>

### CHALLENGES IN REGULATING DIGITAL DOMINANCE

The regulation of digital dominance confronts competition authorities with analytical, institutional, and jurisdictional challenges that existing legal frameworks were not designed to address.<sup>189</sup> Traditional competition law was developed to manage industrial-age

<sup>181</sup> European Commission, *Competition Policy for the Digital Era* (2019)

<sup>182</sup> Google Android case, Case AT.40099 (European Commission)

<sup>183</sup> Ibid

<sup>184</sup> European Commission, *Competition Policy for the Digital Era* (2019)

<sup>185</sup> European Commission, *Antitrust: Commission opens investigation into Amazon's use of marketplace seller data* (2019)

<sup>186</sup> Organization for Economic Co-operation and Development, *Abuse of Dominance in Digital Markets* (2020)

<sup>187</sup> Bundeskartellamt, *Facebook Case Decision* (2019)

<sup>188</sup> European Commission, *Competition Policy for the Digital Era* (2019)

<sup>189</sup> Organization for Economic Co-operation and Development, *Challenges in Digital Markets Competition* (2020)

monopolies characterized by price manipulation, output restriction, and control of physical assets. The data-driven, algorithmically managed, and multi-sided character of digital platform markets creates entirely new categories of difficulty at every stage of the enforcement process.<sup>190</sup>

### 1. Market Definition in Multi-Sided Ecosystems

Identifying the relevant market is the starting point of any dominance analysis.<sup>191</sup> The broad spectrum of platform-based competitors in online networks makes this task difficult. A platform simultaneously serving consumers, advertisers, and business users cannot be straightforwardly situated within a single relevant market defined by substitutability on any one side.<sup>192</sup> Whether separate markets should be defined for each user group, or whether a unified ecosystem market is more appropriate, is a methodological question for which no settled answer yet exists. The further complication of services offered without monetary charge where the conventional demand-side substitutability test cannot be applied has required regulatory bodies to develop proxy measures of competitive constraint that remain contested among economists and practitioners.<sup>193</sup>

### 2. Measuring Market Power Without Price Evidence

Conventional competition analysis relies heavily on price-based indicators of market power.<sup>194</sup> Digital platforms that offer zero-price services remove the most straightforward tool from the enforcer's analytical toolkit. Consumer harm must instead be evidenced through quality degradation, erosion of innovation, reduction of privacy protections, or limitation of choice harms that are real but difficult to quantify in ways that satisfy traditional legal standards of

proof.<sup>195</sup> This evidential gap is not merely a technical inconvenience; it raises fundamental questions about whether the consumer welfare standard, as currently interpreted in most jurisdictions, is capable of capturing the harms that digital dominance produces.

### 3. Data Concentration and Information Asymmetry

Data has emerged as the pre-eminent competitive resource in digital markets.<sup>196</sup> Dominant platforms accumulate proprietary datasets that generate self-reinforcing competitive advantages but establishing when data accumulation crosses the threshold from legitimate competitive success into anti-competitive market foreclosure is a deeply contested question. Compounding this analytical difficulty is the severe information asymmetry that confronts competition authorities: the algorithms, datasets, and internal decision-making processes of major platforms are not publicly accessible, and securing meaningful access to them for enforcement purposes requires legal powers and technical expertise that many agencies currently lack.<sup>197</sup>

### 4. The Pace of Technological Change

Digital markets evolve at a rate that makes traditional enforcement timelines unworkable as a primary regulatory mechanism. A dominance investigation commenced today may not reach a final remedy for five to ten years, by which time the market architecture may have transformed entirely.<sup>198</sup> Market conditions that defined the abuse when it was committed may no longer prevail when remedies are imposed; the technologies at issue may have been superseded; and the competitive harm may have become structurally irreversible.<sup>199</sup> Traditional competition law's retrospective orientation

<sup>190</sup> United Nations Conference on Trade and Development, *Digital Economy Report* (2019)

<sup>191</sup> Competition Law, 2nd edn., LexisNexis, 2019

<sup>192</sup> Organization for Economic Co-operation and Development, *Two-Sided Markets* (2009)

<sup>193</sup> Competition Commission of India, *Market Study on E-commerce in India* (2020)

<sup>194</sup> Competition Law, 9th edn., Oxford University Press, 2018

<sup>195</sup> European Commission, *Competition Policy for the Digital Era* (2019)

<sup>196</sup> United Nations Conference on Trade and Development, *Digital Economy Report* (2019)

<sup>197</sup> European Commission, *Competition Policy for the Digital Era* (2019)

<sup>198</sup> European Commission, *Competition Policy for the Digital Era* (2019)

<sup>199</sup> United Nations Conference on Trade and Development, *Digital Economy Report* (2019)

targeting conduct after harm has crystallized is poorly matched to the tempo of digital market development.

## 5. Balancing Regulatory Intervention Against Innovation

Digital platforms are among the most prolific generators of consumer welfare in modern economies: free services, rapid product improvement, and expanded market access all represent real benefits to users.<sup>200</sup> Regulatory intervention that is poorly calibrated risks disrupting innovation incentives and deterring the investments that have produced these benefits. There is genuine tension between the goal of maintaining market contestability and the goal of preserving the conditions under which significant innovation continues to occur.<sup>201</sup> This tension does not resolve itself; it requires sophisticated regulatory judgement about the nature, proportionality, and targeting of enforcement action.

### REGULATORY DEVELOPMENTS

The rapid growth of digital platforms has prompted competition regulators and legislators worldwide to revisit the adequacy of conventional antitrust tools. The characteristic features of platform markets network effects, data supremacy, ecosystem integration, and algorithmic management have exposed limitations in traditional ex-post enforcement frameworks and stimulated a new generation of regulatory responses.

#### 1. European Union: Digital Markets Act

The most architecturally significant global regulatory development is the EU's Digital Markets Act, which entered into force on 1 November 2022 and became fully operational from 2 May 2023.<sup>202</sup> The DMA represents a systematic departure from the case-by-case enforcement model that characterized EU digital competition law under Article 102 TFEU. Rather than proceeding against specific

instances of abuse after the fact, the DMA designates large platforms meeting defined thresholds of user scale, commercial significance, and competitive entrenchment as "gatekeepers" and subjects them to standing obligations and prohibitions that take effect regardless of whether specific harm has been demonstrated in a given case.

The core obligations include prohibitions on self-referencing, requirements to ensure data portability for users and interoperability for business users, restrictions on the combination of personal data across services without consent, and transparency requirements regarding algorithmic ranking.<sup>203</sup> Non-compliance attracts fines of up to 10% of global turnover, rising to 20% for repeat infringements. The Commission's imposition in 2025 of €500 million and €200 million fines against Apple and Meta respectively for non-compliance with DMA obligations concerning app store operations and user choice architecture signals that the Act's enforcement is substantive rather than symbolic.<sup>204</sup>

#### 2. Digital Services Act

Operating alongside the DMA, the EU's Digital Services Act (DSA) complements the competition framework by regulating platform accountability, content moderation transparency, and systemic risk management.<sup>205</sup> Although the DSA addresses platform governance and safety concerns rather than competition directly, it contributes to the broader regulatory architecture that governs digital markets and reinforces accountability standards that are relevant to competitive market functioning.

#### 3. United Kingdom: Digital Markets, Competition and Consumers Act

The United Kingdom has enacted its own digital markets framework through the Digital Markets, Competition and Consumers Act, which

<sup>200</sup> Organization for Economic Co-operation and Development, *Consumer Welfare and Competition Policy* (2018).

<sup>201</sup> European Commission, *Competition Policy for the Digital Era* (2019)

<sup>202</sup> Digital Markets Act.

<sup>203</sup> Ibid

<sup>204</sup> European Commission, *Press Release on DMA Enforcement Actions* (2025).

<sup>205</sup> Digital Services Act

received Royal Assent in May 2024<sup>206</sup>. The Act empowers the Competition and Markets Authority to designate platforms with "strategic market status" (SMS) and to impose bespoke conduct requirements tailored to the specific competitive dynamics of each designated firm's market. Like the DMA, the UK framework is designed to prevent anti-competitive harm rather than merely to remedy it after occurrence, and to do so through obligations that are both firm-specific and sector-calibrated.

#### 4. India: Competition Law Reform and Digital Competition Proposals

India has pursued competition law reform on two parallel tracks: updating the general framework under the Competition (Amendment) Act, 2023 and developing digital-specific obligations through the proposed Digital Competition Bill.<sup>207</sup>

The Competition (Amendment) Act, 2023 introduced several significant changes, including deal value thresholds for merger control a mechanism specifically designed to capture acquisitions of data-rich start-ups that would have escaped notification under traditional turnover-based triggers and enhanced penalty provisions tied to global revenue.<sup>208</sup>

More consequential for the long term is the work of the Committee on Digital Competition Law (CDCL), whose report has recommended the enactment of a standalone Digital Competition Act. The proposed framework would designate "Systemically Significant Digital Enterprises" (SSDEs) based on financial scale and user base criteria, and impose on them ex-ante obligations including bans on self-referencing, interoperability requirements, data portability guarantees, and algorithmic transparency measures. The Digital Competition Bill is currently in consultative stages reflecting a recognition that digital market power

accumulates faster than traditional investigation timelines allow and that proactive obligations are needed to preserve contestability. The CCI has simultaneously established a dedicated Digital Markets and Data Unit (DMDU) to build internal analytical capacity for monitoring and enforcement in digital sectors.<sup>209</sup>

#### 5. Global Trends

Beyond Europe and India, regulatory activity at the frontier of digital competition policy is intensifying across multiple jurisdictions.<sup>210</sup> Japan's Act on Promotion of Competition for Specified Smartphone Software, enacted in 2024 and in force by late 2025, imposes DMA-analogous requirements on app store operators and mobile platform providers, addressing concerns about app distribution practices and browser choice. Australia, Canada, and several Southeast Asian jurisdictions are at various stages of developing their own digital market regulatory frameworks.<sup>211</sup> The convergence of these national initiatives around a common set of concerns self-referencing, interoperability, data portability, and gatekeeper accountability reflects an emerging international consensus that platform-specific regulation is both necessary and achievable.

#### RECOMMENDATIONS

Addressing the regulatory challenges posed by digital dominance requires a combination of analytical innovation, institutional reform, and targeted legislative action.<sup>212</sup> The following recommendations are offered with an awareness that effective regulation must balance the goals of market contestability and consumer protection against the imperative to preserve the conditions under which technological innovation can continue to generate significant social benefits.

<sup>206</sup> Digital Markets, Competition and Consumers Act

<sup>207</sup> Competition Commission of India, *Annual Report* (2023)

<sup>208</sup> Competition (Amendment) Act, 2023

<sup>209</sup> Competition Commission of India, *Press Release on Digital Markets and Data Unit* (2023)

<sup>210</sup> Organization for Economic Co-operation and Development, *Global Trends in Digital Competition Policy* (2023)

<sup>211</sup> United Nations Conference on Trade and Development, *Digital Economy Report* (2023)

<sup>212</sup> Organization for Economic Co-operation and Development, *Ex-Ante Regulation of Digital Markets* (2023)

### **1. Develop a Digital-Specific Analytical Framework for Dominance Assessment**

Competition agencies should update their market assessment methodologies to reflect platform economics. This means giving systematic weight to network effects, data accumulation dynamics, multi-sided market interactions, ecosystem competition, and non-price competitive variables such as privacy, innovation rate, and service quality. In India specifically, the CCI should develop and publish sector-specific guidelines explaining how dominance will be assessed in digital markets, providing clarity for businesses and consistency in enforcement.<sup>213</sup>

### **2. Implement Proportionate Ex-Ante Obligations for Gatekeepers**

For platforms so deeply entrenched that ex-post enforcement is unlikely to restore genuine contestability, India should enact the Digital Competition Act and designate SSDEs subject to standing behavioral obligations. These obligations should include prohibitions on self-referencing, restrictions on data combination without affirmative consent, interoperability and data portability requirements, and algorithmic transparency standards.<sup>214</sup> The regulatory burden should be proportionate: obligations should be calibrated to the scale and systemic significance of the platform, not applied uniformly to all digital businesses.

### **3. Mandate Data Portability and Platform Interoperability**

Reducing the structural barriers that sustain incumbent dominance requires lowering switching costs and enabling multi-homing. Regulatory frameworks should impose effective data portability obligations that allow users to transfer their data to competing platforms without penalty or technical obstruction, and interoperability standards that prevent platforms from using proprietary technical

architectures to maintain artificial lock-in.<sup>215</sup> These measures must be implemented with appropriate security and privacy safeguards to ensure that interoperability does not create new vulnerabilities.

### **4. Mandate Algorithmic Transparency and Accountability**

Algorithmic decision-making is now central to the competitive functioning of digital markets, yet it operates with minimal external oversight. Regulatory frameworks should require dominant platforms to disclose the principal criteria governing their ranking and recommendation algorithms; to establish internal audit processes for algorithmic fairness; and to make algorithmic audit results available to regulators on request. Regulatory sandboxes could allow supervised experimentation with algorithmic systems without impeding innovation.<sup>216</sup>

### **5. Build Institutional Capacity for Digital Enforcement**

Digital competition cases require sophisticated economic and technical expertise that most competition authorities currently lack at adequate depth. The CCI and other competition agencies should invest substantially in dedicated digital market units staffed by economists, data scientists, and technology specialists.<sup>217</sup> Regular market monitoring and research in digital sectors should be institutionalized, enabling agencies to identify emerging concerns before they crystallize into entrenched abuse.

### **CONCLUSION**

Digital platforms have become the defining economic institutions of the twenty-first century. Their capacity to generate economic value, facilitate information exchange, and accelerate technological innovation is immense and undeniable. At the same time, the structural characteristics that make these platforms so

<sup>213</sup> Competition Commission of India, *Market Study on E-commerce in India* (2020)

<sup>214</sup> Digital Markets Act

<sup>215</sup> Digital Markets Act.

<sup>216</sup> United Nations Conference on Trade and Development, *Digital Economy Report* (2023)

<sup>217</sup> Competition Commission of India, *Annual Report* (2023)

powerful network effects, data-driven competitive advantages, ecosystem integration, and algorithmic control also create conditions in which market power can be rapidly acquired, deeply entrenched, and persistently abused. The task of competition law is to hold these dynamics in a productive balance: to permit and even encourage platform-led innovation, while ensuring that dominant positions are not exploited to foreclose competition, harm consumers, or erect permanent barriers to market entry.

This research has demonstrated that existing competition law frameworks, while conceptually sound, face significant analytical and operational challenges in digital environments. Market definition in multi-sided, zero-price contexts requires methodological adaptation that the classical substitutability framework was not designed to provide. Price-based measures of consumer harm fail to capture the privacy degradation, quality reduction, and innovation suppression that digital dominance can produce. Data-driven competitive advantages create structural entry barriers that conventional antitrust tools cannot readily dismantle. And the pace of technological change renders retrospective, case-by-case enforcement a necessarily incomplete response to the structural challenges that platform dominance poses.

The enforcement record reviewed in this paper the Google Android and Shopping cases in the EU, the CCI's Android decision, the Amazon investigations, and the Bundeskartellamt's Facebook case demonstrates that traditional forms of abuse, including tying, self-referencing, and exclusionary contracting, are very much alive in digital contexts. But they manifest in technically sophisticated, algorithmically mediated forms that require new investigative methodologies and a deeper understanding of platform economics than has historically been required of competition enforcers.

The regulatory response has evolved accordingly. The Digital Markets Act represents

the most ambitious attempt yet to design a regulatory architecture specifically suited to digital platform markets, combining standing ex-ante obligations for gatekeepers with continued ex-post enforcement for specific abuses. India's proposed Digital Competition Bill and the UK's Digital Markets, Competition and Consumers Act reflect the same fundamental insight: that a regulatory model built exclusively on retrospective case-by-case enforcement is insufficient for markets where dominance accumulates faster than investigations can proceed, and where the window for effective intervention may have closed by the time a final decision is reached.

Done well, this regulatory adaptation can ensure that digital markets remain open, contestable, and dynamic capable of delivering the innovation and consumer benefits that have made digital platforms so transformative, while preventing the consolidation of unaccountable economic power that their structural characteristics also make possible. This is the central challenge of competition law in the digital age, and meeting it is not optional

## **REFERENCES**

### **Statutes and Legislative Instruments**

1. Competition Act, 2002 (India).
2. Treaty on the Functioning of the European Union, Art. 102.
3. Digital Markets Act (Regulation (EU) 2022/1925).
4. Sherman Antitrust Act (United States).
5. Competition (Amendment) Act, 2023 (India).
6. Digital Markets, Competition and Consumers Act, 2024 (United Kingdom).

### **Cases**

7. Competition Commission of India v. Google LLC (Android Case), 2022.
8. MCX Stock Exchange Ltd. V. National Stock Exchange of India Ltd., Case No. 13 of 2009.

9. United Brands Company V. Commission, Case 27/76 [1978] ECR 207.
10. Hoffmann-La Roche & Co. AG v. Commission, Case 85/76 [1979] ECR 461.
11. Microsoft Corp. V. Commission, Case T-201/04 [2007] ECR II-3601.
12. European Commission, Case AT.39740 Google Search (Shopping), Decision of 27 June 2017.
13. European Commission, Case AT.40099 Google Android, Decision of 18 July 2018.
14. Bundeskartellamt, Facebook Case (B6-22/16), 2019.
15. Ohio v. American Express Co., 585 U.S. 529 (2018).

#### Books

16. Richard Whish and David Bailey, Competition Law (10th ed., Oxford University Press, 2021).
17. Alison Jones, Brenda Sufirin, and Niamh Dunne, EU Competition Law (7th ed., Oxford University Press, 2019).
18. Massimo Motta, Competition Policy: Theory and Practice (Cambridge University Press, 2004).
19. Jean Tirole, Economics for the Common Good (Princeton University Press, 2017).
20. P.S. Narayanan, Competition Law in India: A Comprehensive Guide (LexisNexis, 2020).

#### Reports and Policy Documents

21. Competition Commission of India, Market Study on E-Commerce in India (2020).
22. European Commission, Competition Policy for the Digital Era (Cr mer, de Montjoye, and Schweitzer Report, 2019).
23. OECD, Abuse of Dominance in Digital Markets (Policy Roundtables, 2020).
24. Stigler Center for the Study of the Economy and the State, Stigler

Committee Report on Digital Platforms (2019).

25. UK Competition and Markets Authority, Online Platforms and Digital Advertising Market Study (2020).
26. Ministry of Corporate Affairs, Report of the Committee on Digital Competition Law (India, 2024).
27. Competition and Markets Authority, A New Pro-Competition Regime for Digital Markets (2023).

#### Journal Articles

28. Lina M. Khan, "Amazon's Antitrust Paradox" (2017) 126 Yale Law Journal 710.
29. Jacques Cr mer, Yves-Alexandre de Montjoye, and Heike Schweitzer, "Competition Policy for the Digital Era" (2019) Report for the European Commission.
30. Herbert Hovenkamp, "Antitrust and Platform Monopoly" (2020) 130 Yale Law Journal 1952.
31. Maurice E. Stucke and Ariel Ezrachi, "Virtual Competition" (2016) Journal of Antitrust Enforcement 64.
32. Anu Bradford, "The Brussels Effect" (2012) 107 Northwestern University Law Review 1.
33. David S. Evans and Richard Schmalensee, "The Antitrust Analysis of Multi-Sided Platform Businesses" (2013) 1 Research Handbook on the Economics of Antitrust Law.

#### Online Sources

34. Competition Commission of India Official Website: [www.cci.gov.in](http://www.cci.gov.in)
35. European Commission Competition Policy Portal: [ec.europa.eu/competition](http://ec.europa.eu/competition)
36. OECD Competition Policy Resources: [www.oecd.org/competition](http://www.oecd.org/competition)