



TILEC Annual Report 2020

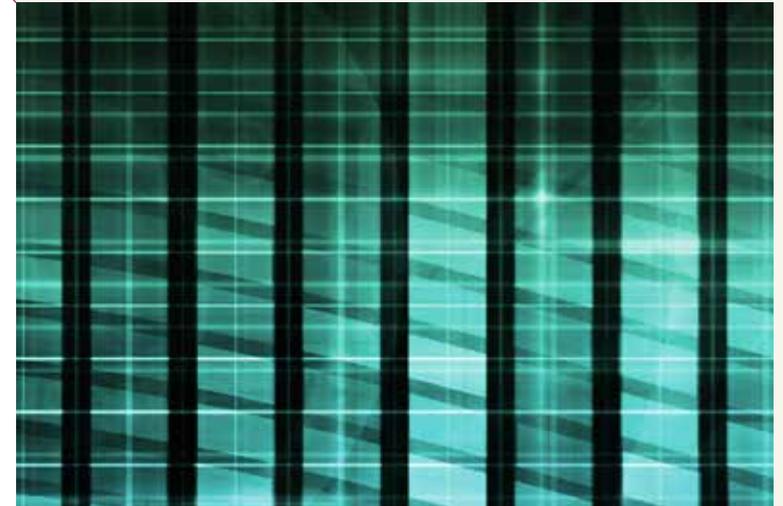
TILEC
Annual
Report
2020

The Tilburg Law and Economics Center (TILEC) was created in 2003 as a joint research center of the Tilburg School of Economics and Management (TiSEM) and the Tilburg Law School (TLS) at Tilburg University.

TILEC's vision is to be, and be recognized as, a global leader in the research on governance of economic activity at the frontier between law and economics, known for its interdisciplinary method, path-breaking research output and societal relevance.

TILEC research is distinguished by the following characteristics:

- **Interdisciplinary:** TILEC research integrates law and economics together on an equal footing, or at least includes substantial input from the other discipline;
- **Innovative:** TILEC brings law and/or economics further, and opens up new perspectives. Whilst this might imply that it leaves established paths in each discipline, it remains state of the art at the technical and methodological level;
- **Fundamental:** TILEC research addresses basic questions of each discipline, including the relationship between the two disciplines and how they can mutually strengthen each other;
- **Relevant:** TILEC research is inspired by real world problems and aims to contribute to the ultimate solution of these problems.



CONTENTS

Contents	6
Foreword	8
1. Research	16
1.1 Research output and key results	16
1.1.1 Overview	16
Natalia Fabra	17
1.1.2 Competition	18
Cédric Argenton	22
1.1.3 Institutions	23
1.1.4 Innovation	27
1.2 PhD Dissertations	30
Alex Ruiz Feases	32
1.3 Events and dissemination of research	33
Maitreesh Ghatak	35
Gani Aldahev	37
1.4 Ronald Coase Visiting Professorship	38
Ittai Shacham	39
2. Education	42
2.1 Teaching	42
Leigh Hancher	43
3. Finances	46
Alessandra Arcuri	47

Appendix A – Members per 31 December 2020	54
Senior Members	54
Junior	57
Extramural fellows	59
Horst Eidenmüller	61
External PHD Students	62
Appendix B – Publications	64
Academic publications - Journal articles	64
Academic publications – Books and edited volumes	67
Academic publications – Book chapters	68
Academic publications – other	69
Professional publications – Book/report	71
Publications in Dutch	72
Appendix C – Activities 2020	79
TILEC PhD Defenses	79
TILEC Seminars	79
Workshops and conferences - TILEC	80
Club Med / Club IO – TILEC	84
Work-in-progress (WIP) meetings – TILEC	86
Other Internal Events - TILEC	89
Credits	91

“COVID-19 inspired TILEC members to look into the repercussions of the pandemic on competition law and broader issues relating to economic governance, regulation and innovation.”

Looking back over the past year, one that has been so difficult on multiple fronts for many of us, during which we had to adapt rapidly and even reinvent ourselves as teachers, colleagues or parents, TILEC members tried to maintain a steady level of activities. This was not always easy; several among us used this period to reflect upon priorities, our role as educators and researchers but also on more recurring questions such as the ones relating to the TILEC brand, identity and future in a world that is changing in ways that we are unable to anticipate.

2020 was a year of institutional adversity and ever-decreasing support and resources in terms of quantity and quality at the university level. For few years now, this has been diametrically antithetical to TILEC success in research and funding acquisition. The COVID-19 restrictions and remote access to facilities and structures did not help address such organizational challenges. Yet, TILEC researchers continued to excel on all fronts: from research to online organization of events to innovative teaching solutions and dedicated supervision of TILEC junior members to overcome the repercussions of the pandemic. In view of the circumstances and the peculiarity of the challenges that we faced in 2020, I am particularly proud of the achievements of the TILEC membership for yet another year! With some 40 discussion papers in a year in which our perseverance, focus and commitment were too often put to test, TILEC members exceeded any expectation the TILEC management team had. My wholehearted congratulations to all TILEC members that delivered such excellent research results!

Limited internal support notwithstanding, TILEC maintained its position within the elite of research centers globally. More specifically, thanks to our prestigious [TILEC Discussion Paper Series](#), we maintained our 7th position in the world in terms of downloads (both on an annual basis and all-time) according to the SSRN statistics. If we continue producing our high-quality discussion papers in the same pace, we will soon pass the 1'000 discussion paper threshold. With more than 440'000 downloads on SSRN, TILEC ranks 3rd globally in the list of law and economics research centers, following Chicago (Coase-Sandor Institute) and Columbia law school; both traditional powerhouses in terms of research, which have much better internal financing mechanisms. Although such achievements do not get the recognition that they deserve internally, they undoubtedly play a key role in strengthening the reputation of Tilburg University as a research-led institution.

Despite its undoubtedly negative and often devastating impact, COVID-19 has also inspired TILEC Members to look into the repercussions of the pandemic on competition law but also broader, timely issues relating to economic governance, regulation and innovation. We burst with pride when looking at the academic rigor and policy impact of our members' work and look forward to identifying ways to improve the conditions under which such work takes place.

In 2020, TILEC members made progress with several research projects; some of them financed by the Signature Plan (that is, the internal research funding scheme at Tilburg Law School), other by the NWO and two of them financed by the European Research Council (ERC). In addition, a team of TILEC lawyers and economists led by Jens Prüfer continued its interdisciplinary work on governance and regulatory design of data-driven markets in Germany.

TILEC members also continued looking for opportunities to finance existing and additional academic positions. Competition in this regard becomes increasingly tough, forcing us to closely monitor developments and take risks that do not always pay off. In addition, the pandemic obliged many of us to spend a lot of time on organizing our teaching, polish our knowledge clips that are distributed to the students and arrange time-consuming online sessions which would reassure students and maintain the high quality that we promised to deliver. Similarly, ensuring PhD supervision that is responsive to the challenges posed by the pandemic reduces the time available for grant applications in order to finance academic positions. Unfortunately, this has meant that TILEC was not able to keep in its roster colleagues of outstanding research quality and potential. TILEC is pleased to see its researchers grow, be it at TILEC or at another institution. The academic landscape notably in social sciences continues to put constraints on our constant desire to expand our team. I am personally grateful to all

TILEC researchers who draw from scarce resources to perform – often beyond the call of duty.

TILEC ran a busy events schedule despite the pandemic. Some of our biggest events we had planned for some time had to be postponed to our deepest regret. However, we still held certain very successful events such as the Colloquium on international investment law and State Capitalism in October 2020, the workshop organized by the 2020 Ronald Coase Visiting Professor Gani Aldashev (ULB) in November 2020 and the ERC conference on the evolution of transnational standard-setters last December. While maintaining a sufficient level of interaction has been a constant concern, I am very pleased by the efforts of all TILEC members involved in organizational matters. Our globally renowned TILEC seminar series also continued taking place thanks to Florian Schütt and Enrico Partiti, TILEC's two research coordinators. The acceptance by external speakers of our invitation for a seminar talk indicated the willingness of our peers to seek high-quality feedback from the TILEC community even when travelling is prohibited.

While the campus has been closed for the biggest part of 2020, we decided to continue the annual tradition of appointing a Ronald Coase visiting professor. I am very excited to announce that Professor Anne-Lise Sibony (UC Louvain) will hold this visiting chair for the academic year 2020-21. Anne-Lise is an expert in EU and consumer law, with a renowned expertise in behavioral law and economics. She will be joining TILEC events remotely as long as travel restrictions persist. We have several exciting academic and education projects in the pipeline under her leadership, including a masterclass and a workshop on behavioral aspects of conflicts of interest.

At the institutional level, 2020 has been a year of transition of TILEC, as we opened a new senior position for a professor of Economics who will

also become the new TILEC Director as of the next academic year. Having served TILEC since 2011, I am confident that TILEC has the key ingredient for continuing to excel on all fronts it is active: an impressive and diverse pool of members committed to academic excellence that remains unaffected by the vicissitudes of underperforming administrative structures. I am impressed by TILEC members' resilience against incidents that some can potentially consider as utterly discouraging and demotivating. This shared sense of responsibility and leadership by TILEC senior members is exemplary, safeguarding TILEC's future.

2021 will be a year where TILEC's business model and administrative structure will change for the better. Approaching the end of the pandemic, we will use this time-period to become even more extroverted, nourish long-lasting partnerships, build coalitions where possible and take distance from inefficient structures where necessary. This is not an easy task, but I am hopeful that our traditional bottom-up structure will be instrumental in getting us on the right path. Of course, for that, clarity of academic vision is key. Academic visionaries are rare but we remain optimistic that positive surprises are yet to be revealed at the administrative level.

TILEC is always keen to strengthen its ties with other academic institutions, regulatory authorities, European institutions and private companies, offering, where appropriate, informed insights in policy debates and contributing to a better understanding of complex market mechanisms and regulatory concerns. We remain eager to engage with partners within and outside academia so do reach out if you want to hear more about TILEC's expertise and discuss sponsorship options with us. All feedback and queries should be addressed to: tilec@tilburguniversity.edu. Please also feel free to discuss new ideas and potential collaborations informally (p.delimatsis@tilburguniversity.edu).

I am confident that this report on our activities in 2020 will give you an accurate picture of what we do, and what we stand for. If you want to hear regularly from us, please subscribe to the TILEC newsletter (<https://forms.tilburguniversity.edu/205>).

Panos Delimatsis
TILEC Director

1

Research

1. RESEARCH

1.1 RESEARCH OUTPUT AND KEY RESULTS

1.1.1 Overview

The table below provides a summary of the research output of TILEC members in 2020. For each category, it shows the number of publications that fall within the scope of the TILEC research program. An exhaustive overview of TILEC publications is provided in Appendix B; the full list of TILEC members is to be found in Appendix A.

	2020
Academic publications	
Journal articles	36
Book chapters	9
Books and edited volumes	2
Other	14
Professional publications	
Reports	7
Discussion papers	44

Table: Relevant publications by TILEC members

In 2020, TILEC members produced cutting-edge academic research that appeared in top journals and other outlets but also successfully ran several externally financed research projects. As always, a good fraction of them displays very good or excellent inter- or multidisciplinary quality. Given the broad scope of the TILEC research program and the many results achieved, in what follows we offer a summary of key substantive results across the three areas of the TILEC research program, that is, Institutions and Incentives; Competition Policy; and Innovation.

Natalia Fabra

Professor
of Economics
University
Carlos III
Madrid



“I found it really stimulating to be able to share our work with an interdisciplinary audience, yet with so many specialists in the field. We have been missing this type of interaction for so long!”

1.1.2 Competition

Within this research cluster, TILEC members investigate the design and application of competition law and policy, paying special attention to the way in which economics can be integrated into the competition policy framework, while retaining the prime features of a sound legal system. TILEC members also study the benefits and costs of competition as a governance mechanism. In addition, their work in the area of competition encompasses the study of the regulation of important sectors of the economy such as the network industries and healthcare markets.

The COVID-19 pandemic also affected EU competition law enforcement. In ‘EU Competition Law and COVID-19’ (TILEC Discussion Paper 2020-007) TILEC Members **Francisco Costa-Cabral, Leigh Hancher, Giorgio Monti and Alexandre Ruiz Feases** investigate how various aspects of EU competition law are impacted by the pandemic. The paper evaluates the state of play and, where relevant, makes policy proposals on how competition law might develop. Competition policy is part of those tools that, properly applied, serve to preserve public health and accelerate economic recovery while retaining a level of flexibility. The authors suggest that the Commission’s state aid policy is unprecedentedly lax. However, more tightening up might be welcome in order to ensure that public funds are not misspent. Competition authorities should also be watchful of excessive prices and price discrimination, using interim measures more aggressively. Collusion should remain an enforcement priority, but a procedural pathway to review agreements that may be in the public interest is proposed drawing on practices developed in the US in the aftermath of major natural disasters. In merger control, the Commission’s strict interpretation of the failing firm defense remains appropriate but, in general, a more cautious attitude towards mergers may be warranted during this period. Competition advocacy plays a key role. Competition agencies can both flag existing regulations that limit competition and monitor proposed emergency legislation that would harm competition for no good reason.

Many of the major changes in EU competition law over the last 15 years have been driven by economic theory. Economic aspects of cartel prosecution are increasingly relevant in modern competition practice. In *EU Cartel Law and Economics* (Oxford University Press) TILEC Members **Cedric Argenton** and **Damien Geradin**, with Andreas Stephan (University of East Anglia) provide the first book-length assessment of cartels from an integrated law and economics perspective. This perspective allows for a more insightful evaluation of the wide variety of practices at the intersection between collusive restrictions of competition and pro-competitive agreements between firms. It also sheds light on the underlying mechanics of cartels, and how to detect anti-competitive conspiracies in the absence of hard evidence. An integrated law and economics perspective also provides a more conceptual approach to cartel law, outlining ways in which the current legal structure can be applied more effectively to deter anti-competitive conduct without discouraging pro-competitive forms of cooperation between firms. The book also covers practices at the intersection of anti-competitive collusion and pro-competitive agreements, such as information exchanges; and civil damages, which are increasingly important in EU cartel law enforcement.



Cedric Argenton



Damien Geradin

Competition between a small number of firms is modeled by economists as an oligopoly game. Oligopoly games are part of a class of games known as dilemma games, in which individual incentives are in conflict with the players' collective interests. In their article 'Optimization incentives in dilemma games with strategic complementarity' (*European Economic Review*, 127, 103453), TILEC members **Jan Potters** and **Sigrid Suetens** examine whether optimization incentives — incentives to best-respond — have an effect on behavior in finitely repeated two-player dilemma games with strategic complements. They run an experiment in which they increase optimization incentives in two different ways compared to a baseline treatment with low strategic complementarity. In the first treatment, the increase in optimization incentives is created by an increase in payoffs on the best-response curve, while its slope remains unchanged. In the second treatment, the increase in optimization incentives takes the form of an increase in the slope of the best-response curve, while best-response payoffs remain unchanged. They find that the impact of optimization incentives is overshadowed by the effect of strategic complementarity. Although an increase in optimization incentives leads subjects to best-respond more frequently when the best-response curve is relatively flat, it leads to more cooperative behavior if the slope of the best-response function increases.

The European Commission is looking for new tools to enforce competition law faster and more effectively. In 'Sharpening the European Commission's tools: Interim measures' (*European Competition Journal* 16(2-3), 404-430), TILEC Member **Alexandre Ruiz Feases** explores the potential of interim measures. These allow the Commission to intervene in situations when anticompetitive harm must be addressed quickly. The appeal of this instrument does not only lie in the fact that it allows the Commission to rapidly intervene, but also in that it maximizes its learning capacity. Since these measures are adopted at early stages of investigations, the Commission can use them to pilot the effectiveness of a particular remedy. Although the antitrust community generally encourages the Commission to use interim measures more frequently, there is room to discuss how to make them sharper. The contribution studies whether there is any obstacle that may be impeding the Commission from using interim measures and explores aspects that can be reformed to enhance the effectiveness of this tool. The contribution concludes that, while there is no need to make any fundamental change for the Commission to use interim measures, three aspects can be amended. These include the legal standard of "irreparable damage", the notion of victims, and the procedure. For each of them, the article offers two options for reform drawing from other jurisdictions.

Recent years have seen significant evolution in the European Commission's approach to State aid policy. The timely volume '*EU state aid law: Emerging trends at the national and EU level*' (Edward Elgar), edited by TILEC Member **Giorgio Monti** with Pier Luigi Parcu (European University Institute) and Marco Botta (European University Institute and Max Planck Institute for Innovation and Competition) analyses the enforcement of State Aid law in the aftermath of the State Aid Modernization initiative that decentralized enforcement. A number of aid schemes do not require the preventive "check" by the European Commission, while national courts play a growing role in private enforcement of State aid law. The volume identifies several emerging trends at the national and EU level. The contributions unpack the recent developments that contributed to decentralization of enforcement of State Aid law, including the General Block Exemption Regulation which allows a larger number of aid schemes to be implemented by national authorities without prior notification. Timely contributions also consider the increasing role of national courts in the enforcement of State aid rules and the employment of damages claims. The contributions also investigate the Commission's current reliance on State Aid policy to pursue common objectives of EU interest, thus shaping a de facto EU industrial policy and impacting on national policies in domains such as infrastructures and broadcasting.

Cédric Argenton

“Every academic discipline relies on a set of maintained assumptions that never or rarely get discussed. The obvious risk of specialization is the tendency to adopt a tunnel vision and fall into irrelevance. TILEC stands for a place where legal scholars and econo-

mists can talk to each other on a regular basis and understand what limitations and constraints their disciplines face. I tremendously enjoy this discussion. The average economist tends to see law as a mere set of constraints governing the applicability of smart policy proposals. Only at TILEC can I learn that legal scholarship addresses much more fundamental issues about the best way to design and run a system of rules. This has informed my work on competition issues to a great extent and I am very grateful for it!”



Before the liberalization of the energy sector, investments in generation capacity were coordinated centrally and network constraints were fully taken into account in a forward-looking manner. Interactions between generation investments and transmission constraints are important: operating a new power plant may require existing plants to cut-back production and investments today may preempt otherwise profitable future investments. However, in a liberalized market, coordination must take place through the market. In their article ‘Long-term transmission rights and dynamic efficiency’ (*Energy Economics*, 88, 104714), TILEC member **Bert Willems** and his co-author Georgios Petropoulos compare market designs for access regulation of a bottleneck transmission line. They study the impact of access regulation on investment decisions by an incumbent firm with an existing dirty technology and an entrant with an uncertain future low-carbon technology. Nodal pricing, which allocates network access on a short-term competitive basis, distorts investment decisions, as the incumbent preempts the entrant by investing early. Long-term tradable transmission rights restore investment efficiency: the incumbent’s investment timing becomes socially optimal. This is the case for financial and physical transmission rights, but it requires the existence of a secondary market for transmission rights.

1.1.3 Institutions

Within this research cluster, TILEC studies the formal and informal institutions that underlie and govern the production and exchange of goods or services, and contribute to other public policy objectives with a view to strengthening their resilience and adaptability. Formal institutions at the center of TILEC’s work comprise legal regimes such as contract, criminal and competition law, private standard-setters as well as administrative and judicial institutions entrusted with the task of enforcing substantive rules disciplining economic activity. Informal institutions include evolving social norms and private networks.

Public authority is increasingly engaging with private actors for the purpose of transnationally regulating the social and environmental responsibility of global production. “Orchestration” of private actors takes place under limited possibility to influence and control the regulatory effects of private authority. This may lead to public authority legitimizing and indirectly reinforcing forms of regulation structurally dominated by economic interests. In ‘Trust in global governance: Ensuring

trustworthiness of transnational private regulators' (*N.Y.U. Journal of International Law and Politics* 52(2), 415-484), TILEC Member **Enrico Partiti** adopts a multidisciplinary perspective based on the notion of institutional trust to frame the interaction between public and private authority, and between private authority and those affected by it. Institutional trust simultaneously empowers and constrains both public and private forms of authority. The article uses the interplay between public regulators on the one hand, and voluntary sustainability standards and companies implementing human rights due diligence on the other, to illustrate how the relation between different forms of authority unfolds. It then appraises the effects of this relation on those affected by private rules. The article evaluates these two types of interplay against a framework based on the concept of institutional trust. It concludes by setting forth suggestions for the employment of private forms of authority by public actors in the transnational regulation of global value chains.

More and more people get their political news through social media. Because social media have a lot of information about their users, the content of political news that users see can be tailored to their political attitudes. Are these two developments a problem? How do they interact? In TILEC Discussion Paper No. 2020-003, entitled 'Big data and democracy,' TILEC members **Freek van Gils**, **Wieland Müller**, and **Jens Prüfer** set out to answer these questions. They develop a theoretical model that incorporates two key features: first, a platform that is able to microtarget voters, and second, news consumption via social media and news aggregators that obfuscate the origin of news items. Obfuscation of news sources leads voters to be unaware of the sender's identity, and therefore about the likely political slant of their news. The authors show that these two features have important implications for voter welfare. When both microtargeting and source obfuscation are present, voter welfare is lower than when neither of them are present; when only one of them is present, voter welfare is intermediate. In addition, they show that obfuscation is a necessary condition for election flipping. Microtargeting alone cannot achieve this. These results suggest that policy compelling platforms to reveal the sources of news items, as well as their political slant, would be more effective at preventing election manipulation than a ban on microtargeting.

In 'The energy transition: Democracy, justice and good regulation of the heat market' (*Energies* 13(5), 1088), TILEC Members **Saskia Lavrijssen** and TILEC Extramural Fellow **Blanka Vitéz**, analyze how energy democracy, energy justice and the principles of good market regulation support the development a more consistent approach towards energy regulation. Good regulation can provide

a useful framework within which regulatory choices can be weighed when modernizing regulation of energy markets. A case study of the Dutch heat market shows that much can still be done in terms of both flexible regulation and supervision, and facilitation of citizen participation. Lack of flexibility in the current regulatory framework could lead to ineffective and disproportionate regulation, hindering a sustainable, reliable and affordable development of the heat market. Unbundling and third-party access also require discretionary powers by the independent regulator to stimulate development of the heat market. Citizen participation is key in light of energy justice and energy democracy – which are energy-specific notions complementing the principles of good regulation in this sector. The energy transition is a matter for all citizens of the European Union and this should not be ignored by policymakers and independent regulators. Since it is likely that most heat consumers will remain locked in natural monopolies facilitated by older generation heat networks and a lack of alternatives, substantive citizen-participation could yield positive results regarding community engagement in heat network management and heat supply.

Private litigation is one of the most important aspects of a modern legal system. Given the high costs associated with the judicial system, public authorities actively try to encourage alternative modes of dispute resolution. Fostering settlements is typically part of such a strategy, but it requires understanding how parties to a dispute behave in the first place. There is a large literature on the behavior of private litigants but it takes for granted that litigants behave as rational expected utility maximizers. In TILEC Discussion Paper No. 2020-002, TILEC members **Cédric Argenton** and **Xiaoyu Wang** investigate how loss aversion affects people's behavior in civil litigation. They find that a loss-averse plaintiff demands a higher offer for small claims to maintain her threat to proceed to trial compared to a loss-neutral plaintiff. For larger claims, a loss-averse plaintiff demands a lower offer to increase the settlement probability as loss pains her extra in trial. They also investigate how various policies affect loss-averse litigants' settlement decisions. Only a reduction in the asymmetry of information about the odds of prevailing at trial uniformly leads to higher settlement rates.

Global services liberalization is currently held hostage of transatlantic divergences, American isolationism and an introspective approach that the largest developing countries take towards international trade matters. At the level of rule-making relating to services, a learning-by-doing approach can be observed both unilaterally and in preferential trade agreements (PTAs). As

liberalization commitments enshrined in the Schedules of the General Agreement on Trade in Services (GATS) become increasingly outdated, countries pursue various strategies to reap the positive spill-overs from the expansion of their services industries. In ‘Coherence and divergence in agreements on trade in services: A drama in three acts’, (*in Coherence and divergence in services trade law*, Hoffmann, R.T., & Krajewski, M. (Eds.), European Yearbook of International Economic Law 2020, Springer, 9-35) TILEC Member **Panagiotis Delimatsis** reviews instances of coherence and divergence in trade in services agreements through a series of events that led to the creation of the GATS and its evolution via developments at the preferential level. It traces developments in this area in three stages. It begins with an analysis of the background that explains the rise of services integration as a stand-alone topic in the multilateral trade negotiations agenda. The focus then shifts to the genesis of the GATS, the analysis of the dynamics that evolved in the wake of the Uruguay Round, the identification of the birth defects of the GATS, and instances of embedded divergence. Finally, the chapter discusses how preferential trade agreements (PTAs) undermine coherence but, on an optimistic note, also points to potential situations that can act as remedies for such fragmentation.

People tend to act less socially when their decisions affect others who do not share the same identity. This behavior has been referred to as in-group bias and is observed even when identity is artificially induced. In practice, however, interactions are often not as neutral as implemented in the lab, and their nature is either competitive or cooperative (e.g., competition for a job as opposed to cooperation between colleagues). In their article ‘Cooperative versus competitive interactions and in-group bias’ (*Journal of Economic Behavior & Organization*, 179, 69-79), TILEC members **Jan Potters** and **Sigrid Suetens**, together with their co-author Xue Xu, study the effect of interpersonal but impersonal interactions on in-group bias in allocational choices. Before the elicitation of the choices, individuals either engage in a cooperative or competitive interaction, or in no interaction at all. They find that a cooperative interaction eliminates any in-group bias as compared to the case where there is no interaction, and even introduces relatively more pro-sociality with respect to the out-group. A competitive interaction reduces pro-sociality in general, irrespective of whether others are in- or out-group.

1.1.4 Innovation

Within this research cluster, TILEC researchers investigate the phenomenon of innovation, broadly construed as the creation and diffusion of new knowledge. Innovation has long been recognized as the main driver of economic growth and holds the potential to provide solutions to a wide array of societal problems, ranging from combating diseases through medical innovation to fighting climate change through green technology. Putting in place a regulatory framework that is conducive to innovation has been a central policy concern within the EU for many years. Although TILEC studies innovation in general, it focuses particularly on innovation in the areas of ICT, as well as in the creative industries and data-intensive industries.

Technology standards play an increasingly important role in today’s interconnected world. Cooperative standard setting reduces uncertainty, enables the realization of network effects, and promotes competition based on the defined standard. It is therefore important to understand how competitive, technological, and network conditions influence the behavior of firms in the standardization process. TILEC member **Shivaram Devarakonda** provides evidence on this question in TILEC Discussion Paper No. 2020-005, entitled ‘Analysis of firms’ incentives to control the standard development process.’ He combines data from the Radio Access Networks (RAN) group in the 3GPP standard development organization with firm-level and patent data. The data set he constructs, which contains detailed information on the technical features that are promoted by members of the RAN group, allows him to study how certain firm characteristics are related to the likelihood of making a contribution to the standard development process. He finds that firms representing architecture and implementer-level positions in the telecommunications supply chain are more likely to contribute to standard development by promoting technical features. This is especially true for firms whose patent portfolio scores high on an originality measure. By contrast, the value of the patent portfolio, as measured by citations, and previous experience with technology alliances have little explanatory power.

Patent holders whose patents are essential to a standard are usually required to license their patents under fair, reasonable, and non-discriminatory (FRAND) terms. This requirement is often interpreted as a price cap such that royalties for the patents do not exceed their pre-standardization incremental values. Although FRAND requirements are a common feature of SSO policies, they are sometimes met with the concern that they excessively restrict the incentives for innovators.

From the perspective of economic welfare, the pertinent question is what the optimal innovation incentives should look like and whether the prevalent interpretation of reasonable royalties is optimal. In TILEC Discussion Paper No. 2020-025, entitled ‘Standard-essential patents and incentives for innovation,’ TILEC member **Chayanin Wipusanawan** studies the incentives to innovate when there are multiple technologies and the (incremental) value of each depends on which other technologies are available, which is usually the case in standardization. Using a theoretical model of innovators with interacting technologies, he considers the problem of choosing the incentive scheme to induce welfare-maximizing research investments under the condition that it only uses the values created by the innovators. He analyzes the prevalent interpretation of FRAND compared to the optimal scheme and shows that in some cases, this incremental value rule does not lead to the efficient level of innovation investment.

A flourishing European data economy requires effective portability of- and access to- data for individuals and firms. Beyond the right to data portability introduced in the General Data Protection Regulation (GDPR), various data access regimes have been developed in the energy, automotive, payment and digital content/services sectors. In ‘Spill-overs in data governance: Uncovering the uneasy relationship between the GDPR’s right to data portability and EU sector-specific data access regime’ (*Journal of European Consumer and Market Law* 9(1), 3-16), TILEC members **Inge Graef** and **Jasper van den Boom**, with TILEC extramural fellow **Martin Husovec** compare key aspects of these instruments. They analyse the relationship of sector-specific regimes with the GDPR right to data portability. The paper identifies a set of possible unintended consequences between these regimes in relation to how they govern data sharing in the EU. These spillovers might be positive or negative for societal welfare and can be of factual or legal nature. Some spillovers are only a consequence of uncertainty and a lack of clear direction. The existence of spillovers however highlights that a fragmented legislative strategy pursuing horizontal and sector-specific data sharing policies in parallel can also hinder the original goals of the legislator. Legislators should be fully aware of these spillovers especially when they pursue a fragmented strategy for data sharing policies.

China’s economic development was initially pursued through leveraging the supply of cheap labour for export purposes. After China joined the World Trade Organization, the Chinese government realised the importance of cultivating innovation capabilities. Chinese policymakers formulated an “indigenous innovation” policy, emphasising the importance of Chinese-owned technology, stand-

ards, and intellectual property rights (IPRs). China’s innovation policy, the connections between China’s standardisation regime and its IPR regime – especially in information and communications technology – have been studied from different disciplines. This phenomenon has however not been analysed from a legal perspective. In ‘Hic sunt dracones? Mapping the legal framework of China’s innovation policy: Standardisation and IPRs’ (*International Review of Intellectual Property and Competition Law* 51(5), 559-593), TILEC Member **Piergiuseppe Pusceddu** tracks the evolution of the legal framework of China’s innovation policy since the 1950s, including recent developments. The article seeks to determine how China’s innovation policy has resulted in the development and adoption of laws, rules, and regulations regarding standardisation and IPRs with the aim of realising China’s innovative potential and economic prosperity. China’s innovation policy, especially from 1978 onwards, has allowed China to catch up with the Western world. Standardisation and IPRs have been essential to this process. Because of the economic conditions in China, however, policies related to IPRs in standardisation followed a different logic that caused friction with trading partners.

The recent rise of big data and artificial intelligence (AI) is not only changing markets, organizations, and societies but also affects the domain of research. Supported by new statistical methods that rely on computational power and computer science we are now able to analyse data sets that can be large, multidimensional, and unstructured, and which are diversely sourced. In their article ‘Data science for entrepreneurship research: studying demand dynamics for entrepreneurial skills in the Netherlands’ (*Small Business Economics*, 55, 651-672), TILEC member **Jens Prüfer** and his co-author Patricia Prüfer describe the most prominent data science methods suitable for entrepreneurship research and provide links to literature and Internet resources for self-starters. They survey how data science methods have been applied in the entrepreneurship research literature. As a showcase of data science techniques, based on a dataset of 95% of all job vacancies in the Netherlands over a 6-year period with 7.7 million data points, they provide an original analysis of the demand dynamics for entrepreneurial skills in the Netherlands. They show which entrepreneurial skills are particularly important for which type of profession. Moreover, they find that demand for both entrepreneurial and digital skills has increased for managerial positions, but not for others. They also find that entrepreneurial skills were significantly more demanded than digital skills over the entire period 2012–2017 and that the absolute importance of entrepreneurial skills has even increased more than digital skills for managers, despite the impact of datafication on the

labor market. They conclude that further studies of entrepreneurial skills in the general population - outside the domain of entrepreneurs - is a rewarding subject for future research.

1.2 PHD DISSERTATIONS

On 16 June, **George Comnenus**, defended his PhD dissertation titled 'Protectionism in the Era of Globalisation: the misuse of anti-dumping instruments from an EU perspective', written under the supervision of TILEC Member **Panagiotis Delimatsis** and Julien Chaisse (City University of Hong Kong). The dissertation contrasts the Agreement on the Implementation of Article VI of the GATT with anti-dumping investigations carried out by and against the EU. The study identifies contingent protectionism in sectors of geopolitical importance, tit-for-tat in the imposition of anti-dumping measures and partiality in the various rates of duties. It identifies malpractices in the determination of negligibility, normal value, export prices, injury, and margins of dumping. The thesis sheds new light on the functioning of the US International Trade Administration, the European Commission's Directorate General for Trade and the Chinese Trade Remedy Investigation Bureau. The PhD Committee members included, in addition to the two supervisors, Giorgio Monti (Tilburg University), Freya Baetens (University of Leiden), Christian Tietje (University of Halle) and Edwin Vermulst (VVGB Law and World Trade Institute, Berne)

On 22 June, **Olia Kanevskaia-Whitaker** defended her PhD dissertation titled 'The Law and Practice of Global ICT Standardization', written under the supervision of TILEC Member **Panagiotis Delimatsis** and TILEC Extramural Fellow **Pierre Larouche** (University of Montreal). The dissertation studies the extent to which current standardisation in information and communication technologies (ICT) complies with applicable European and international procedural and substantive requirements, and whether increased scrutiny of standard developing organisations in the ICT sector is desirable to guarantee due process. The project brings together theoretical considerations stemming from applicable legislation, regulatory documents, judicial decisions, and academic scholarship closer to practice by evaluating procedural guarantees in several SDOs in the light of current industry praxis. The PhD Committee members included, in addition to the two supervisors, Jorge Contreras (University of Utah), Mariolina Eliantonio (Maastricht University), Alison Harcourt (University of Exeter), Harm Schepel (University of Kent) and Kees Stuurman (Tilburg University).

On 14 October, **Clemens Fiedler** defended his PhD thesis titled 'Innovation in the Digital Age - Competition, Cooperation, and Standardization,' written under the supervision of TILEC members **Jan Boone** and **Florian Schuett**. The dissertation consists of three articles on competition, cooperation, and standardization with a focus on the important sectors of the digital age. The first chapter studies modern software markets and how their unique characteristics impact firms' reactions to their competitors' R&D efforts. The second chapter investigates a firm's incentives to invest in a common standard and how its choices are driven by the conflict between benefitting from the collective contributions and supporting its competitors. The third chapter studies standard-setting organizations and the impact implementers' participation has on the standard's market coverage and royalty rates. The PhD Committee members included, in addition to the two supervisors, TILEC members **Cédric Argenton** and **Bert Willems**, as well as Peter Kort (Tilburg University) and Sandro Shelegia (Pompeu Fabra University, Barcelona).

Alex Ruiz Feases



“TILEC is the ideal place to do your post-doc in competition law. TILEC has established itself over the years as a major hub where both lawyers and economists with interests in economic law gather and conduct cutting-edge research from different angles. Moreover, TILEC is not a closed community; on the contrary, thanks to its numerous academic activities it is also an important meeting point for policymakers and the civil society. This creates the perfect atmosphere to develop one’s ideas and grow as a researcher.”

1.3 EVENTS AND DISSEMINATION OF RESEARCH

TILEC maintained a busy program of regular activities in 2020, despite the inevitable impact of COVID-19 on travel and mobility. Following TILEC’s well-established tradition, members met (virtually) every Wednesday morning to discuss recent developments and present their research. In addition, monthly seminars gave TILEC members the opportunity to interact with leading scholars working in the areas of the TILEC research program. As space is lacking to display the full range of TILEC events, Appendix C provides a list of all events organized and held by TILEC in 2020. Here we mention only a handful of major events.

On 3-4 December, TILEC organized an international conference in the context of the ERC-funded project REVEAL (The Resilience and Evolution of Economic Activism and the Role of Law) led by TILEC Member Panagiotis Delimatsis. The project investigates enabling features and strategies that allow private regulatory bodies in Europe and elsewhere to endure and proliferate despite multiple exogenous challenges and shocks. The objective of REVEAL is to think afresh and systematically investigate the birth, evolution, and resilience of private rule-making bodies before and after regulatory and policy watersheds. The conference brought together international researchers from various disciplines concerned with the emergence and evolution of private rule making, with keynotes from Fabrizio Cafaggi (Italian State Council) and Emiliós Avgouleas (University of Edinburgh).

The conference explored how organizational forms, procedural rules, informal decision-making processes of private standard-setting organizations as well as outcomes of standard-setting have changed over time as a response to pressures and demands from within and outside these organizations. Private standard-setters have adapted not only to meet demands from both public authority at various regulatory levels and different stakeholder groups, but also to defuse internal opposition and to side-line specific interest groups with the gain of others. Specific events in their regulatory environment (a financial crisis such as the Asian contagion of late 90s and the recent Great Recession, a product safety crisis, a large-scale manufacturing glitch or a pandemic) have reinforced existing or created new incentives and rationales for private standard-setters to internalize the need for change, partly to maintain operations. The conference zoomed in on to these evolutionary dynamics. It assessed their impact on the goals pursued by the organizations, as well as on the implications for targets and beneficiaries. It exposed the mechanics and dynamics of

resilience of private collective action and their consequences for the relation between public and private authority - in particular for the capacity (or lack thereof) of the former to effectively enroll, steer and influence the latter.

Maitreesh Ghatak



Professor of
Economics,
London School
of Economics
and Political
Science

A really exciting workshop - the range of speakers and topics was broad and yet all the sessions generated stimulating and energizing conversations. It is not that common to have workshops where theorists and empiricists from a whole range of fields engage seriously on topics of great contemporary relevance. Would love to see more such workshops in the future.

On 15-16 October, TILEC co-organized a Colloquium on ‘International Investment Law and State Capitalism’ in Athens (via zoom). This was the first event of a series of colloquia on international economic law (IEL) that TILEC will organize together with the National and Kapodistrian University of Athens and the College of Law of Hamad Bin Khalifa University (Doha, Qatar) in the coming years. The event brought together a stellar team of IEL scholars interested in the repercussions of state capitalism for economic relations and investors alike and featured a keynote by Professor Robert Howse (New York University). In the polycentric global economic order of the 21st century, it appears that liberal capitalism has given way to a new model of capitalism in international economy, State capitalism, which reshapes IEL foundations. This new form of capitalism also poses challenges to the dispute settlement system of investment treaties but also other for a such as the WTO. Soft law instruments to address the increasing role of public money in IEL emerge but are yet to prove their effectiveness. Questions of sovereignty and national security raise sensitive issues of important complexity in this regard, as exemplified by the recent EU Foreign investment screening Regulation. No less than six panels bringing together over 20 speakers examined complex legal issues that arise from the role and increasing influence of state-owned enterprises active in global economic activity.

On 20 November, TILEC hosted a Workshop on “Economic Governance: Law, Markets, and Organizations,” organized by Ronald Coase Visiting Professor **Gani Aldashev** (ECARES, Université Libre de Bruxelles). Due to the pandemic, the event was held virtually, but nevertheless generated much lively interaction. The event was opened by the Dean of the Tilburg School of Economics and Management, Geert Duysters, and featured a line-up of high-profile speakers. Kathy Spier (Harvard University) started the day off with a presentation on settling lawsuits with pirates. TILEC’s own **Jens Prüfer** followed with a discussion of classification institutions and what happens when they clash. Then, Andy Newman (Boston University) presented an organizational theory of market structure, and Maitreesh Gathak (London School of Economics) analyzed under what conditions discriminatory behavior can survive in competitive labor markets. To round out the day, **Gani Aldashev** presented his work on the financing problems facing modern research universities.

Gani Aldashev



Professor of Economics, ECARES, Université Libre de Bruxelles; Ronald Coase Visiting Professor in Law and Economics at TILEC during academic year 2019-2020

“I had the pleasure and the privilege to visit TILEC as a Ronald Coase Visiting Professor in Spring 2020. The first two short stays at TILEC in January and February 2020 were supposed to be only the “warm-ups”, to be followed by a longer stay. But then the Covid-19 pandemic changed our plans, and I was amazed by the rapid adaptation of TILEC scholars and the organizational team to the new virtual reality – the dynamism

of the in-person interactions that I enjoyed so much were smoothly transformed into the equivalent dynamism of the online events. And there were plenty of them! Seminars, workshops, and conferences – all impeccably organized! I am really looking forward to coming back to TILEC in person as soon as we are back to in-person routine to resume those wonderful brainstorming sessions with junior and senior colleagues there!”

1.4 RONALD COASE VISITING PROFESSORSHIP

The Ronald Coase Visiting Professorship in Law and Economics is a visiting chair that aims to bring to Tilburg University and TILEC experienced scholars of academic distinction, who will conduct research and offer seminars of high quality while in residence. The holder of the 2019-2020 Ronald Coase Visiting Professorship was Gani Aldashev, Professor of Economics at the Université Libre de Bruxelles (ULB) and a Research Fellow at the ECARES (European Center for Advanced Research in Economics and Statistics). Previously he taught at the University of Namur (Belgium) and University of Cergy-Pontoise (France). He received his PhD in Economics at Bocconi University (Milan, Italy) in 2005.

Prof. Aldashev's work focuses on the economics of the non-profit sector, the analysis of traditional institutions in developing countries (e.g., customary justice, tribes/clans, marriage contracts/arrangements), and the political economy of development. His work has been published in leading journals in economics (e.g., Journal of the European Economic Association, Economic Journal, Journal of Development Economics), political science (Quarterly Journal of Political Science, Political Science: Research and Methods), and in interdisciplinary journals (Proceedings of the National Academy of Sciences, World Development).

During his stay as Ronald Coase Visiting Professor, Prof. Aldashev participated in TILEC activities and actively interacted with the TiU community. On 20 November, he organized a workshop on "Economic Governance: Law, Markets, and Organizations" (see above for a summary). In addition, on 10 December, he gave an online lecture on "Legal Institutions and Economic Development" so that the academic community and graduate students at Tilburg University also benefited from his extensive knowledge and experience.

The Ronald Coase Chair in Law and Economics was established in 2008. The late Nobel Memorial Prize Laureate in Economic Sciences Ronald Coase (1910-2013), globally renowned for his pioneering and inspiring work on institutional economics, and transaction costs in particular, gave his personal consent to the establishment of the Chair.

Ittai Shacham



"TILEC provides me a platform to expand my academic knowledge and refine my research and communication skills. The seminar series provides a collaborative environment to discuss ongoing work, as well as being exposed to pioneering research in a variety of fields. The diversity of economic research presented in the seminar series enables me to appreciate the benefits encapsulated in different methods and incorporate these in my own work. Contributions from legal scholars provide insights into current issues dealt with in policy circles. Finally, as a platform, TILEC allows me to reach out and interact with leading scholars in various fields and disciplines. Being an active member of TILEC has undoubtedly helped me develop as a researcher."

2

Education

2. EDUCATION

2.1 TEACHING

Although TILEC is not formally responsible for running any of the university's educational programs, it plays a key role in a number of them. TILEC members are very active in the BSc and MSc Economics programs at TiSEM (in the Law and Economics track, in particular) as well as the Global Law Bachelor, the Data Science Bachelor, the International Business Law Master, the Master in Law and Technology and the Master in International and EU law at TLS. Additional courses are also offered at the PhD level. In 2020, on top of general courses, many courses directly linked up with the TILEC research program.

Examples on the TLS side include the flagship master courses 'Regulating Competition' (**Giorgio Monti**); 'International Competition Law' (**Alex Ruiz Feases**); 'Competition Law and Technology Industries' (**Inge Graef**); 'Banking and Securities Regulation' (**Joseph McCahery**); 'Advanced EU Competition Law and Economic Regulation' (**Francisco Costa-Cabral, Leigh Hancher, and Damien Geradin**); 'Trade and WTO Law' (**Panos Delimatsis and Olga Hrynkiv**); 'Global Trade and Development Law' (**Panos Delimatsis**); 'EU Free Movement Challenges' (**Panos Delimatsis, Enrico Partiti and Alex Ruiz Feases**); 'Making and Shaping of Markets' and 'Global E-commerce' (**Konrad Borowicz**). TILEC TLS members are also involved in several bachelor courses including: the Data Science Bachelor course 'Innovation and Regulation' (**Saskia Lavrijssen and Brenda Espinosa Apráez**), the Bachelor of Liberal Arts course 'European Public Law and Public International Law' (**Francisco Costa-Cabral**) the Global Law Bachelor courses 'International Trade and Investment Law' (**Panos Delimatsis, Olga Hrynkiv and Leo Gargne**), 'Human Rights law' (**Stephanie Bijlmakers**), 'Methods and Techniques of Legal Research' and 'Global Law Final Essay' (**Shanya Ruhela and Jasper van der Boom**).

Examples on the TiSEM side include the bachelor courses 'Industrial Economics' (**Florian Schuett**) and 'Competition Policy and Regulation' (**Cédric Argenton**), as well as the master courses 'Seminar Competition Policy' (**Misja Mikkers and Erik Brouwer**) and 'Seminar Innovation and Networks' (**Jens Prüfer and Madina Kurmangaliyeva**).

Leigh Hancher



"Legal scholars can be tempted to remain in their own bubble - reviewing and commenting work by other legal scholars, digesting case law and inspecting legislative proposals through the critical lens of the rule of law. TILEC not only allows us to 'think outside of the bubble' - it forces us to do so. We reap many rewards from our critical discussions. We learn to ask new questions and to look for different answers. My own work on state aids and on energy market regulation has benefited enormously from the lively TILEC debates."

3

Finances

3. FINANCES

TILEC is funded through a mix of internal funds provided by the University or TILEC's parent schools, as well as external funds. External funds comprise research funding obtained from the Netherlands Organization for Scientific Research (NWO) and assimilated institutions, larger-scale agreements with public authorities or private firms, and revenues from research contracts. More specifically, research at TILEC for 2020 was funded by the following organizations:

- **Qualcomm Inc.**, for research on innovation, intellectual property, standard setting, and competition
- **The European Research Council (ERC)**, for research on the resilience of non-State regulatory bodies in times of crisis
- **The German Finance Ministry**, for research on governance approaches and regulatory design of data-driven markets in Germany
- **The Institute of the German Economy Cologne e.V.** for the project *Innovation and digital platforms*.
- **Netherlands Organization for Scientific Research (NWO)**, in cooperation with the think tank NGInfra, for research into legal and organizational network and governance aspects of data-driven innovations in infrastructure management
- **Netherlands Organization for Scientific Research (NWO)**, for research into innovative possibilities for horizontal cooperation between trade and production companies in the logistics sector
- **Netherlands Organization for Scientific Research (NWO)**, for research on the new energy and mobility outlook for the Netherlands – NEON)
- **The Open Society Foundation, the Omidyar Network, and the King Baudouin Foundation**, for the creation of a Digital Clearinghouse.

Alessandra Arcuri



Professor
of Inclusive
Global Law and
Governance
at Erasmus
University
Rotterdam

“TILEC is a unique academic environment at the intersection of law and economics that is conducive to excellent and impactful research on economic governance.”



Athens Colloquium



ERC Conference



Athens Event



ERC Conference



ERC Conference



ERC Conference



ERC Conference



ERC Keynote



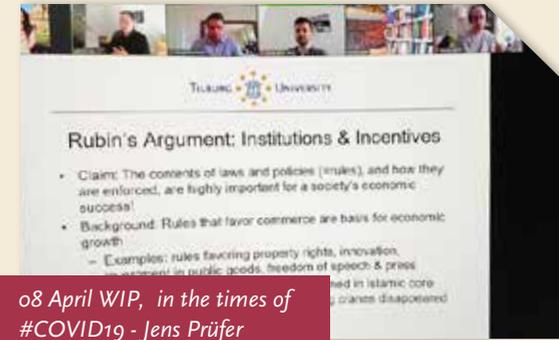
Kanevskaia defense ceremony



Olia Kanevskaia defense



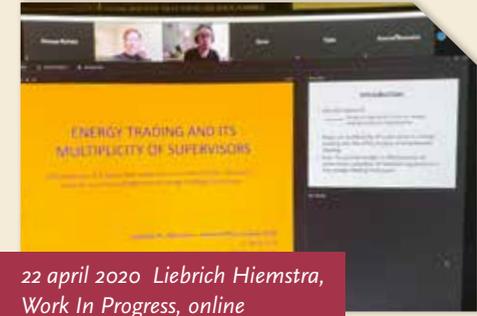
04 March 2020 Peerawat Samranchit



08 April WIP, in the times of #COVID19 - Jens Prüfer



George Commenus defense



22 april 2020 Liebrich Hiemstra, Work In Progress, online



Gijsbert Zwart (RUG) WIP 13 May 2020

Appendix

APPENDIX A – MEMBERS PER 31 DECEMBER 2020

SENIOR MEMBERS

Senior members	TiSEM/TLS	II	CP	IN	FTE applicable
Argenton, Cédric	TiSEM		*	*	0.3
Bijlmakers, Stephanie	TLS	*			0.9
Boone, Jan	TiSEM	*	*		0.2
Borowicz, Maciej Konrad	TLS	*			0.9
Brouwer, Erik	TiSEM			*	0.1
Da Rin, Marco	TiSEM			*	0.1
Damme, Eric van	TiSEM	*	*		0.4
Devarakonda, Shivaram	TiSEM			*	0.2
Filistrucchi, Lapo	TiSEM		*		0.2
Geradin, Damien	TLS		*	*	0.2
Graef, Inge	TLS		*	*	0.5
Hancher, Leigh	TLS		*		0.2
Klein, Tobias	TiSEM		*		0.1

II: Institutions and Incentives
 CP: Competition Policy
 IN: Innovation

An asterisk represents the area of research interest of the TILEC member.

Senior members	TiSEM/TLS	II	CP	IN	FTE applicable
Kurmangaliyeva, Madina	TiSEM		*	*	1.0
Lafarre, Anne	TLS			*	0.1
Lavrijssen, Saskia	TLS	*	*		0.4
Le Mouel, Marie	TiSEM			*	1.0
McCahery, Joseph	TLS	*		*	0.1
Mikkers, Misja	TiSEM			*	0.1
Monti, Giorgio	TLS		*		1.0
Müller, Wieland	TiSEM		*		0.1
Partiti, Enrico	TLS	*			0.9
Potters, Jan	TiSEM	*			0.1
Prüfer, Jens	TiSEM	*	*	*	0.2
Renneboog, Luc	TiSEM	*		*	0.2
Ruiz Feases, Alexandre	TLS		*		0.8
Ruys, Pieter	TiSEM		*		0.0
Schindler, David	TiSEM	*			0.1

Senior members	TiSEM/TLS	II	CP	IN	FTE applicable
Schütt, Florian	TiSEM			*	0.6
Suetens, Sigrid	TiSEM	*			0.1
Verba, Michael	TiSEM			*	
Vermeulen, Erik	TLS	*		*	0.1
Willems, Bert	TiSEM	*	*		0.2
Wolswinkel, Johan	TLS	*			0.1
Vermeulen, Erik	TLS	*		*	0.1

JUNIOR

Junior members	TiSEM/TLS	II	CP	IN
Atik, Can	TLS			*
Bonani, Michela	TiSEM			*
Boom, Jasper van den	TLS		*	
Capkurt, Fatma	TLS		*	
Dongen, Lisa van	TLS			*
Espinosa Apraez, Brenda	TLS	*		*
Gargne, Leo	TLS	*		
Gils, Freek van	TiSEM	*		*
Fiala, Lenka	TiSEM	*		
Hrynkiv, Olha	TLS	*		
Li, Jing	TLS			*
Petročnik, Tjaša	TLS		*	*
Pusceddu, Piergiuseppe	TLS	*		*

II:	Institutions
CP:	Competition
IN:	Innovation

Junior members	TiSEM/TLS	II	CP	IN
Phúc Phùng, Quang	TiSEM	*		
Ruhela, Shanya	TLS	*		
Samranchit, Peerawat	TiSEM		*	
Shacham, Ittai	TiSEM		*	*
Srivastava, Vatsalya	TiSEM	*		
Verghese, Zuno	TLS	*		
Wang, Takumin	TiSEM	*		*
Wang, Xiaoyu	TiSEM	*	*	
Wipusanawan, Chayanin	TiSEM			*
Yang, Yadi	TiSEM			*

EXTRAMURAL FELLOWS

Mauricio Rodriguez Acosta
 Konstantina Bania
 Paul de Bijl
 Michiel Bijlsma
 Jan Burke
 Jan Broulík
 Gert Brunekreeft
 Riccardo Calcagno
 Elena Carletti
 Firat Cengiz
 Amrita Chaudhuri
 Filomena Chirico
 Francisco Costa-Cabral
 Peter Cserne
 Peter Cziraki
 Victoria Daskalova
 Hans Degryse
 Theon van Dijk
 Angelos Dimopoulos
 Roxana Fernandez Machado
 Natalia Fiedziuk
 Eva Maria Földes
 Barbara Gabor
 Suren Gomtsian
 Ilse van der Haar
 Rein Halbersma
 Branislav Hock
 Martin Husovec
 Sofia Johan
 Olia Kanevskaia

Universidad del Rosario, Colombia
EBU
Radicand Economics
SEO Amsterdam Economics
The bar of Ireland, The Law Library
University in Amsterdam
Jacobs University, Bremen
Polytechnical University of Turin
Bocconi University
University of Liverpool
University of Winnepe
European Commission
Cruz Vilaça Advogados
University of Hull
University of Toronto
University of Twente
KU Leuven
E.CA Economics
Queen Mary, University of London
CREST
European Commission
Hague University of Applied Sciences
European Commission
University of Leeds
PostNord
Kansspelautoriteit
University of Portsmouth
London School of Economics
York University
KU Leuven

Vikas Kathuria
 Safari Kasiyanto
 Vincent van Kervel
 Pierre Larouche
 Alan Littler
 Karin Luttkhuis
 Evgenia Motchenkova
 Machiel Mulder
 Matteo Negrinotti
 Bastiaan Overvest
 Maria Fabiana Penas
 Christoph Schottmüller
 Gyula Seres
 Gregory Sidak
 Jasper Sluijs
 Moritz Suppliet
 Peter Szilagyi
 Alessandro Tajana
 Emanuele Tarantino
 Vincent Verouden
 Jun Zhou
 Nicolo Zingales
 Gijsbert Zwart

Bennet University
Bank of Indonesia
Pontificia Universidad Catolica de Chile
Université de Montréal
Kalff Katz & Franssen
Li & Van Wieringen
VU University Amsterdam
University of Groningen
Italian Competition Authority
CPB
Universidad Torcuato Di Tella
University of Cologne
Humboldt University
Criterion Economics
University of Utrecht
European Commission
CEU Business School
Johnson & Johnson
LUISS University and EIEF
European Commission
Bar-Ilan University
Fundação Getúlio Vargas Rio
University of Groningen

Horst Eidenmüller



Freshfields Professor of Commercial Law, University of Oxford

“TILEC provided a stimulating and challenging environment for testing key research hypotheses and ideas at the intersection of law and economics.”

EXTERNAL PHD STUDENTS

Butenko, Anna
Corte, Emmanuel de
Edens, Marga
Hiemstra, Liebrich
Katona, Katalin
Lugard, Paul
McCutcheon, Patrick
Pourrahim, Maryam
Trias, Ana
Vitéz, Blanka

University of Amsterdam
Ecorys
Staedion
Vattenfall
Nederlandse Zorgautoriteit
Baker Bots LLP
European Commission
University of Neuchâtel
University of Bonn
AKD

APPENDIX B – PUBLICATIONS

List of publications by TILEC members falling within the scope of the TILEC research program.

Academic publications – Journal articles

Geradin, D.

“Trust me, I’m fair”: Analyzing Google’s latest practices in ad tech from the perspective of EU competition law, *European Competition Journal*, 16, 1, 11-54 (with Katsifis, D.)

Graef, I.

Hybrid differentiation and competition beyond markets, *Competition Policy International - Antitrust Chronicle*, June 2020, 11, 1-8

The opportunities and limits of data portability for stimulating competition and innovation, *Competition Policy International, Antitrust Chronicle*, 2, 2, 1-8

Graef, I., & Costa-Cabral, F.

To regulate or not to regulate Big Tech, *Concurrences*, 2020, 1, 24-29

Graef, I., Husovec, M., & van den Boom, J.

Spill-overs in data governance: Uncovering the uneasy relationship between the GDPR’s right to data portability and EU sector-specific data access regimes, *Journal of European Consumer and Market Law* 9, 1, 3-16

Mikkers, M. C.

Using machine learning to assess the predictive potential of standardized nursing data for home healthcare case-mix classification. *European Journal of Health Economics*, 21, 1121-1129. (with de Korte, M. H., Verhoeven, G. S., Elissen, A. M. J., Metzelthin, S. F. and Ruwaard, D.)

Hancher, L.

Retrospective application of legal rules in the European Union: Recent practice in the energy sector, *Journal of Energy and Natural Resources Law*, 39, 1, 65-81 (with Talus, K. and Wüstenberg, M.)

APPENDIX

Lafarre, A.

Fundamental labour standards and corporate sustainability: An analysis of the regulatory framework of core workers’ rights and its integration in contemporary international business practice. *Intercultural Human Rights Review*, 15,1, 1-71 (with Rombouts, B)

Lavrijssen, S., & Vitez, B.

The energy transition: Democracy, justice and good regulation of the heat market, *Energies*, 13, 5, 1088, 1-24

Mc Cahery, J.

ESG performance and disclosure: A cross-country analysis. *Singapore Journal of Legal Studies*, 2020, 1, 217-241 (with Pudschedl, P., & Lopez-de-Silanes, F.)

Tranching in the syndicated loan market around the world. *Journal of International Business Studies*, 51, 1, 95-120 (with Cumming, D., Lopez-de-Silanes, F., & Schwienbacher, A.)

Potters, J.

Tattoos, lifestyle, and the labor market. *Labour*, 34(2), 191-214. (with Dillingh, R. and Kooreman, P.)

(Not) alone in the world: Cheating in the presence of a virtual observer. *Experimental Economics* (with Mol, J. M. and van der Heijden, E. C. M.)

Monti, G.

Four options for a greener competition law, *Journal of European Competition Law & Practice*, 11, 3-4, 124-132

EU merger control after CK Telecoms UK investments v. commission. *World Competition : Law and Economics Review*, 43, 4, 447-471

Partiti, E.

Trust in global governance: Ensuring trustworthiness of transnational private regulators, *N.Y.U. Journal of International Law and Politics*, 52, 2, 415-484

Regulating trade in forest-risk commodities. *Journal of World Trade*, 54, 1, 31–58

Potters, J., & Suetens, S.

Cooperative versus competitive interactions and in-group bias. *Journal of Economic Behavior & Organization*, 179, 69-79. (with Xu, X.)

Optimization incentives in dilemma games with strategic complementarity. *European Economic Review*, 127, 103453.

Prüfer, J.

Data science for entrepreneurship research: studying demand dynamics for entrepreneurial skills in the Netherlands. *Small Business Economics: An International Journal*, 55, 651-672. (with Prüfer, P.)

Pusceddu, P.

Hic sunt dracones? Mapping the legal framework of China's innovation policy: Standardization and IPRs, *International Review of Intellectual Property and Competition Law*, 51, 5, 559-593

Special economic zones, legal innovation, technology, and IP disputes: Quo vadis China? *Transnational Dispute Management*, 2020, 5, 1-34

Renneboog, L.

How relevant is dividend policy under low shareholder protection? *Journal of International Financial Markets, Institutions and Money* 64(100776), [100776]. (with Szilagyi, P.)

Elective stock and scrip dividends. *Journal of Corporate Finance*, 64, [101660]. (with Feito Ruiz & Vansteenkiste, C.)

Cross-border acquisitions and employment policies. *Journal of Corporate Finance*, 62, [101575]. (with Liang, H., & Vansteenkiste, C.)

The global sustainability footprint of sovereign wealth funds. *Oxford Review of Economic Policy*, 36(2), 380-426. (Liang, H.)

Director networks, turnover, and appointments. *European Financial Management*, 26(1), 44-76. (with Zhao, Y.)

Ruiz Feases, A.

Sharpening the European Commission's tools: Interim measures. *European Competition Journal*, 16, 2-3, 404-430

Vermeulen, E.

Banking and regulatory responses to fintech revisited: Building the sustainable financial service "ecosystem" of tomorrow. *Singapore Journal of Legal Studies*, 2020 (March), 165-189 (with Fenwick, M.)

Willems, B.

Long-term transmission rights and dynamic efficiency. *Energy Economics*, 88, [104714]. (with Petropoulos, G.)

The clean energy package and demand response: Setting correct incentives. *Energies*, 13(21), [5672]. (with Zhou, J.)

Academic publications – Books and edited volumes**Argenton, C. and Geradin, D.**

Argenton, C., Geradin, D., & Stephan, A., *EU Cartel Law and Economics*. Oxford University Press

Monti, G.

Monti, G., Botta, M., & Parcu, P. L. (Eds.) *EU state aid law: Emerging trends at the national and EU level*, Edwar Elgar Publishing Ltd

Academic publications – Book chapters**Delimatsis, P.**

Godot is finally coming? The great convergence of services markets within the EU, J. Chaisse (Ed.) *Sixty years of European integration and global power shifts: Perceptions, interactions and lessons* Modern Studies in European Law, Hart Publishing, 127-159

Coherence and divergence in agreements on trade in services: A drama in three acts, Hoffmann, R.T., & Krajewski, M. (eds.), *Coherence and divergence in services trade law*, European Yearbook of International Economic Law, 2020, Springer, 9-35

Mc Cahery, J.

Governance of financial services outsourcing: Managing misconduct and third party risks. In C. Alexander, & D. Cumming (Eds.) *Corruption and fraud in financial markets: Malpractice, misconduct and manipulation*. Wiley-Blackwell/John Wiley & Sons, 399-422 (with de Roode, A.)

Monti, G.

The functions of national courts in the private enforcement of State aid law, G. Monti, M. Botta, & P. L. P. (Eds.) *EU state aid law : Emerging trends at the national and EU level*, Edward Elgar Publishing Ltd., 6, 121-140 (with Pastor-Merchante, F)

Partiti, E.

Global convergence through European Union value chain regulation and voluntary standards, E. Fahey (Ed.) *Framing convergence with the global legal order: The EU and the world*, Hart Publishing, 235-257

Renneboog, L.

Mergers and acquisitions: Long-run performance and success factors. *Oxford Research Encyclopedia (ORE) of Economics and Finance* (with Vansteenkiste, C.)

Vermeulen, E.

Fintech, overcoming friction and new models of financial regulation. In M. Fenwick, S. Van Uytzel, & B. Ying (Eds.), *Regulating fintech in Asia: Global context, local perspectives*, Springer, 205-225 (with Fenwick, M.)

Wolswinkel, J.

The Dutch paradox: The impact of the Pan-European general principles of good administration in the Netherlands. In U. Stelkens, & A. Andrijauskait (Eds.) *Good administration and the Council of Europe: Law, principles, and effectiveness*, Oxford University Press, 210-241 (with Gerards, J., van Ommeren, F.)

Academic publications – other**Dongen, L. van**

Perspectives from intellectual property law, W. J. Liebgrets, W.-J. Van den Heuvel, & A. Von den Born (eds.), *Data Science for Entrepreneurship: Principles and Methods in Data Engineering, Analytics and Decision-Making*, Springer Nature Switzerland AG.

Espinosa Apráez, B.

Digitalisation in the drinking water sector, *Network Industries Quarterly*, 22, 4, 11-15

Graef, I.

Paving the way forward for data governance: A story of checks and balances, *Technology and Regulation*, Special issue Governing Data as a Resource, 24-28

Mendis, S.

Mendis, S., Cows, J., Darius, P., Golunova, V., Prem, E., Santistevan, D., & Wang, W. W., Freedom of expression in the digital public sphere: Strategies for bridging information and accountability gaps in algorithmic content moderation, Alexander von Humboldt Institute for Internet and Society

Monti, G.

Editorial comments: Special advice on competition policy for the digital era. *Common Market Law Review*, 57,2, 315-339

Partiti, E.

Short-term and long-term trade responses to COVID-19, *Legal Issues of Economic Integration*, 47, 3, 215-221

Petročnik, T., Graef, I.

Response to the European Commission's public consultation 'A European strategy for data' (with & Krasteva, G.)

Petročnik, T.

What health, what data, what space? Three reflections on the announced European Health Data Space, *Sectorplands*

Ruiz Feases, A.

Repairing the consistency of EU competition law: Reimagining appreciability, *EU Law Live*

Vermeulen, E.

Legal education in a digital age: Why coding matters for the lawyer of the future. In *The innovation economy and the law* (with Fenwick, M., & Kaal, W.)

Wolswinkel, J

Lang leve de veiling! De betekenis van de Nobelprijs voor de Economie voor juristen. *Nederlands Juristenblad*, 2020, 42, 3235-3236

Maatwerk, digitalisering en bestuursrecht: onlosmakelijk verbonden? Bespreking van VAR-plead-
vies 'Maatwerk bieden in een gedigitaliseerde en datagedreven samenleving; #HoeDan?'.
Nederlands Tijdschrift voor Bestuursrecht, 2020(6), 321-325. [NTB 2020/137].

Noot bij ABRvS, 20 november 2019, AB 2020/397. 397. Case note on: Afdeling bestuursrechtspraak RvS, 20/11/19, 201709900/1/A3, ECLI:NL:RVS:2019:3918 AB *Rechtspraak Bestuursrecht*, 2020,43

Noot bij ABRvS 8 juli 2020, AB 2020/411. Case note on: Afdeling bestuursrechtspraak RvS, 8/07/20, 201906313/1/A3, ECLI:NL:RVS:2020:1597 AB *Rechtspraak Bestuursrecht*, 2020,43

Professional publications – Book/report**Graef, I.**

Business-to-business data sharing: An economic and legal analysis, JRC Digital Economy Working Paper Series, 2020, 5 (with Martens, B., de Streel, A., Tombal, T., & Duch-Brown, N.)

Hancher, L.

The EU clean energy package (2020 ed.) Florence School of Regulation Technical Report, November 2020 (with Nouicer, A., Kehoe, A.-M., Nysten, J., Fouquet, D. and Meeus, L.)

Monti, G.

Monti, G., Digital markets act: *Making economic regulation of platforms fit for the digital age*. CERRE Research Report (with Feasey, R., Krämer, J., & Cave, M.)

Business Cooperation in Times of Emergency: The Role of Competition Law, *CPI EU News*

Partiti, E.

Alternatives for the 'raw materials and energy chapters' in EU trade agreements: An inclusive approach, PowerShift (with Ankersmit, L.)

A proposal for an EU Regulation on forest and ecosystem risk commodities

Prüfer, J.

Competition Policy and Data Sharing on Data-driven Markets: Steps Towards Legal Implementation. Friedrich Ebert Stiftung.

CMA's Interim Report

Authors: Damien Geradin, Dimitrios Katsifis

Publication in Dutch

Graef, I.

Big tech en mededinging, *Ars Aequi*, Bijzonder Nummer 'Concurrentie', 716-727

Lafarre, A.

Risicomanagement in een data-gedreven wereld: De rol en expertise van bestuurders en commissarissen nader beschouwd. *Tijdschrift voor vennootschapsrecht, rechtspersonenrecht en ondernemingsbestuur*, 2020(4), 118-129 (with van Falier, M.)

Lavrijssen, S.

Horizontale samenwerking en het mededingingsrecht, G. Kant, N. Schriek, & E. Guis (Eds.)
Compose: *Strategisch logistiek samenwerken*, 82-90 (with van Helfteren, T.)

Kink in de kabel: Voorstellen voor het proactiever afstemmen van vraag en aanbod van netwerkcapaciteit in de energietransitie, *Het Nederlands Tijdschrift voor Energierecht*, 2020, 2, 60-71 (with Braggaar, D.)

Wolswinkel, J

AR meets AI: Een bestuursrechtelijk perspectief op een nieuwe generatie besluitvorming. *Computerrecht*, 2020,1, 22-29

Publicatie van besluiten in een digitaal tijdperk: Verschuivende panelen tussen bekendmaking en openbaarmaking? *JB plus*, 2020,3, 16-34.

TILEC discussion papers

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Title: Political Uncertainty and the Geographic Allocation of Credit: Evidence from Small Businesses
Authors: Geraldo Cerqueiro, Ana Mão-de-Ferro, María Fabiana Penas

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Title: Litigation and Settlement Under Loss Aversion
Authors: Cédric Argenton, Xiaoyu Wang

DP 2020-3

Title: Big Data and Democracy
Authors: Freek van Gils, Wieland Müller, Jens Prufer

DP 2020-4

Title: The Effects of Employee Stock Options on Employee Entrepreneurship and Mobility
Authors: Vilma Chila, Shivaram Devarakonda

DP 2020-5

Title: Analysis of Firms' Incentives to Control the Standard Development Process
Authors: Shivaram Devarakonda

DP 2020-6

Title: Committee Governance in Technology Development Alliances
Authors: Marvin Hanisch, Jeffrey Reuer, Carolin Häussler, Shivaram Devarakonda

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Title: EU Competition Law and COVID-19
Authors: Francisco Costa-Cabral, Leigh Hancher, Giorgio Monti, Alexandre Ruiz Feases

DP 2020-8

Title: Mandatory Arbitration of Intra-Corporate Disputes in Brazil: A Beacon of Light for Shareholder Litigation?
Authors: Patricia Gil Lemstra, Joseph A. McCahery

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Authors: Radosveta Ivanova-Stenzel, Gyula Seres

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Authors: Marcelo Godke Veiga, Joseph A. McCahery

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Authors: Francisco Costa-Cabral

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Title: GDPR Myopia: How a Well-Intended Regulation ended up Favoring Google in Ad Tech

Authors: Damien Geradin, Dimitrios Katsifis, Theano Karanikioti

DP 2020-13

Title: Antitrust case against the Apple App store

Authors: Damien Geradin, Dimitrios Katsifis

DP 2020-14

Title: The Technical Standardization Ecosystem and Institutional Decision Making: The Case of Intellectual Property Rights Policies

Authors: Justus Baron, Jorge L. Contreras, Martin Husovec, Pierre Larouche, Nikolaus Thumm

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Title: Consumer Willingness to Share Payments Data: Trust for Sale?

Authors: Michiel Bijlsma, Carin van der Cruijssen, Nicole Jonker

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Title: Settlements Under Unequal Access to Justice

Authors: Madina Kurmangaliyeva, Anastasia Antsygina

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Title: Private Processes and Public Values. Tackling Global Deforestation and Ecosystem Conversion via Non-Financial Due Diligence

Authors: Enrico Partiti

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Authors: Giorgio Monti

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Authors: Enrico Partiti

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Authors: Mark Schankerman, Florian Schuett

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Authors: Chayanin Wipusanawan

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Authors: Panos Delimatsis, Olga Hrynkiv

DP 2020-27

Title: General exceptions under the GATS - A Legal Commentary on Article XIV GATS

Authors: Panos Delimatsis, Léo Gargne

DP 2020-28

Title: Negotiation of Specific Commitments Under the GATS – A Legal Commentary on Article XIX GATS

Authors: Panos Delimatsis

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Title: Financial Services Trade in Special Economic Zones

Authors: Panos Delimatsis

DP 2020-30

Title: Assessing the long run competitive effects of digital ecosystem mergers

Authors: Jasper van den Boom, Peerawat Samranchit

DP 2020-31

Title: Competition Problems and Governance of Non-personal Agricultural Machine Data: Comparing Voluntary Initiatives in the US and EU

Authors: Can Atik, Bertin Martens

DP 2020-32

Title: Contracts as Regulation: The ISDA Master Agreement

Authors: M. Konrad Borowicz

DP 2020-33

Title: Pandemic Payment Patterns

Authors: Nicole Jonker, Carin van der Cruijssen, Michiel Bijlsma, Wilko Bolt

DP 2020-34

Title: Google as a de facto Privacy Regulator: Analyzing Chrome's Removal of Third-party Cookies from an Antitrust Perspective

Authors: Damien Geradin, Dimitrios Katsifis, Theano Karanikioti

DP 2020-35

Title: The Antitrust Case against the Apple App Store (Revisited)

Authors: Damien Geradin, Dimitrios Katsifis

DP 2020-36

Title: Bringing an End to Apple's Anti-Competitive Practices on the App Store: A Response to Völcker & Baker

Authors: Damien Geradin, Dimitrios Katsifis

DP 2020-37

Title: Network Sharing and EU Competition Law in the 5G Era: A Case of Policy Mismatch

Authors: Damien Geradin, Theano Karanikioti

DP 2020-38

Title: Competition in Ad Tech: A Response to Google

Authors: Damien Geradin, Dimitrios Katsifis

DP 2020-39

Title: The Antitrust Case Against the Apple App Store

Authors: Damien Geradin, Dimitrios Katsifis

DP 2020-40

Title: SEP Licensing After two Decades of Legal Wrangling: Some Issues Solved, Many Still to Address

Authors: Damien Geradin

DP 2020-41

Title: Access to In-Vehicle Data by Third-Party Service Providers: Is there a Market Failure and, if so, How Should it be Addressed?

Authors: Damien Geradin

DP 2020-42

Title: Taking a Dive Into Google's Chrome Cookie Ban

Authors: Damien Geradin, Dimitrios Katsifis

DP 2020-43

Title: Online Platforms and Digital Advertising Market Study: Observations on the Statement of Scope

Authors: Damien Geradin

DP 2020-44

Title: Online Platforms and Digital Advertising Market Study: Observations on CMA's Interim Report

Authors: Damien Geradin, Dimitrios Katsifis

APPENDIX C – ACTIVITIES 2020**TILEC PhD DEFENSES**

16 June 2020

George Comenus, *Protectionism in the Era of Globalisation: the misuse of anti-dumping instruments from an EU perspective* (*Online event)

22 June 2020

Olia Kanevskaia, *The Law and Practice of Global ICT Standardization* (*Online event)

14 October 2020

Clemens Fiedler, *Innovation in the Digital Age: Competition, Cooperation, and Standardization* (*Online Event).

TILEC SEMINARS

A Seminar is devoted to a specific topic within the TILEC research program. It is organized for the benefit of faculty members and other researchers at Tilburg University.

15 January 2020

Marco Pagnozzi, University Naples Federico II
Vertical Contracting with Endogenous Market Structure

12 February 2020

Joost Poort, UvA
The Decline of Online Piracy: How Markets – Not Enforcement – Drive Down Copyright Infringement

17 June 2020 (*Online event)

Horst Eidenmueller, Oxford University
What is an Arbitration? Artificial Intelligence and the Vanishing Human Arbitrator

28 October 2020 (*Online event)

Stefan Bechtold, ETH Zurich

European Privacy Law and Global Markets for Data

18 November 2020 (*Online event)

Natalia Fabra, University Carlos III Madrid

Technology-Neutral vs Technology-Specific Procurement

9 December 2020 (*Online event)

Jean Christophe Graz, (University of Lausanne)

The Power of Standards: Hybrid Authority and the Globalisation of Services

WORKSHOPS AND CONFERENCES - TILEC

TILEC organizes larger conferences and workshops, devoted to specific topics open to everyone interested in our research themes and activities. More often than not, those larger events are used to bring together academics, policy-makers and representatives from the business world.

25 March 2020

(Cancelled event due to Covid-19)

Conference on Competition law enforcement in the 21st century: Are the rules and institutions fit for purpose?

Organised by TILEC, with the support of Geradin Partners

Speakers:

Damien Geradin, TILEC, Tilburg University/ Geradin Partners

Jorge Padilla (Compass Lexecon Europe, Compass Lexecon)

Pierre Régibeau, DG Competition, European Commission

Cristina Caffarra, European Competition Practice, CRA

Martin d'Halluin, Associate General Counsel, News Corp

Avantika Chowdhury, Oxera

Giorgio Monti, LTMS, TILEC, Tilburg University

Robert O'Donoghue QC, Brick Court Chambers

Pablo Ibáñez Colomo, London School of Economics

Inge Graef, LTMS, TILEC, Tilburg University

Jean-François Bellis, Van Bael & Bellis

Andrea Appella, Global Competition, Netflix and Visiting Professor, Kings College Dickson Poon School of Law

Jacques Crémer, Toulouse School of Economics

Antonio Bavasso the global antitrust practice, Allen & Overy

Thomas Kramler, DG Competition, European Commission

Horacio Gutierrez, Spotify

Heike Schweitzer, Humboldt Universität zu Berlin

Anne-Claire Hoyng, Global competition and consumer law. Booking.com

Alexandre de Stree, Universities of Namur and Louvain

Philip Marsden, College of Europe, Bruges; CRA

Vanessa Turner, Competition, BEUC

Andrea Gomes da Silva, CMA

Ioannis Lianos, Hellenic Competition Authority

Konrad Ost, Bundeskartellamt

Jacques Steenbergen, Belgian Competition Authority

15 and 16 October 2020 (*Online event)

TILEC – Hamad Bin Khalifa University and National and Kapodistrian University of Athens; Athens PIL co-organised an Online Webinar on: *International Investment Law and State Capitalism*

Keynote:

Rob Howse, New York University

Speakers:

Photini Pazartzis, National and Kapodistrian University of Athens; Athens PIL

Susan Karamanian, Hamad Bin Khalifa University College of Law

Panos Delimatsis, LTMS, TILEC, Tilburg University

Georgios Dimitropoulos, Hamad Bin Khalifa University

Anastasios Gourgourinis, National and Kapodistrian University of Athens; Athens PIL

Leonardo Borlini, University Bocconi

Josef Ostransky, European University Institute

Lauge Poulsen, University College London

Jiangyu Wang, City University of Hong Kong

Michail Dekastros, Sidley Austin LLP

Qingxiu Bu, University of Sussex

Eirini Kikarea, University of Cambridge

Julien Chaisse, City University of Hong Kong

Eric De Brabandere, Leiden University

Roberto Echandi, World Bank

Catharine Titi, French National Centre for Scientific Research (CNRS)-CERSA, University Paris II Panthéon-Assas

Federico Ortino, King's College London

Sebastián Mantilla Blanco, University of Bonn

David Roney, Sidley Austin LLP

Alexandr Svetlicinii, University of Macau

Manu Misra, Fundação Getúlio Vargas School of Law

Konstantina Georgaki, European Commission (DG FISMA); University of Oxford

Theodore Fortsakis, National and Kapodistrian University of Athens

Ming Du, Durham University

Bianca Nalbandian, University of Luxembourg

Wei Yin, Southwest University of Political Science and Law

20 November 2020 (*Online event)

An Online Workshop on:

Economic Governance: Law, Markets, and Organizations

Speakers:

Kathryn Spier, Harvard Law School

Jens Prüfer, Tilburg University, TILEC

Andy Newman, Boston University

Maitreesh Ghatak, London School of Economics

Gani Aldashev, Université libre de Bruxelles, ECARES

3 and 4 December 2020 (*Online event)

An Online International Conference on:

The evolution of transnational private rule-makers: Understanding drivers and dynamics

Organized by TILEC and supported by the European Research Council (ERC Consolidator Grant Agreement 725798 – REVEAL)

Keynote:

Fabrizio Cafaggi, Italian State Council

Emilios Avgouleas, University of Edinburgh

Speakers:

Panos Delimatsis, LTMS, TILEC, Tilburg University

Rosalba Belmonte, University of Perugia

Jan Wouters, University of Leuven

Eleni Tsingou, Copenhagen Business School

Konrad Borowicz, LTMS, TILEC, Tilburg University
Pierre Hugues Verdier, University of Virginia
Margarita Nieves Zárata, University of Groningen
Slobodan Tomic, University of York
Rebecca Schmidt, University of Oslo
Daniel Quiroga Villmarin, Graduate Institute
Juliane Reinecke, King's College London
Alessandra Arcuri, Erasmus University Rotterdam
Enrico Partiti, LTMS, TILEC, Tilburg University
Tim Büthe, Technical University of Munich
Abdel Alshafan, Technical University of Munich
Tetty Havinga, Radboud University
Paul Verbruggen, Tilburg University
Stephanie Bijlmakers, LTMS, TILEC, Tilburg University
Olia Kanevskaia, University of Leuven
Justus Baron, Northwestern University
Matteo Ortino, University of Verona

10 December 2020 (*Online event)

An Online TILEC Lecture on: *Legal Institutions and Economic Development*

Speaker:

Gani Aldashev, Université Libre de Bruxelles and Ronald Coase Visiting Professor, Tilburg Law and Economics Center (TILEC), Tilburg University

CLUB MED / CLUB IO - TILEC

Club Med (for Club Mededingingsrecht – or competition law, in Dutch) meetings have long been a cornerstone of TILEC's weekly activities. In the Club Med, recent legal and policy developments

are discussed, including Commission decisions, judgments of the European or US courts, legislative initiatives, and policy guidelines. In the Club IO, recent advances in the economic analysis of institutions, competition, or innovation are discussed. Sometimes they are linked to preceding Club Med presentations.

22 and 29 January 2020

Giorgio Monti, LTMS, TILEC, Tilburg University, **Enrico Partiti**, LTMS, TILEC, Tilburg University
Inge Graef, LTMS, TILEC, Tilburg University and **Francisco Costa Cabral**, LTMS, TILEC, Tilburg University
Revision of Commission Guidelines on the applicability of Article 101 of the TFEU to horizontal co-operation agreements

5 February 2020

Michiel Bijlsma, CPB, TILEC
Data and Competition

8 April 2020 (*Online event)

Jens Prüfer, TILEC, Tilburg University
"Rulers, Religion, and Riches: Why the West Got Rich & the Middle East Did Not," by Jared Rubin

15 April 2020 (*Online event)

Moritz Suppliet, TILEC, DG COMP
Vertical Mergers in the Media Industry: The European Commission's Economic Assessment in Telia/Bonnier Broadcasting

3 June 2020 (*Online event)

Madina Kurmangaliyeva, TILEC, Tilburg University
Algorithmic Risk Assessment in the Hands of Humans

25 November 2020 (*Online event)

Inge Graef, TILEC, Tilburg University and **Alex Ruiz Feases**, TILEC, Tilburg University
FTC v Qualcomm Case

16 December 2020 (*Online event)

Marie Le Mouel, TILEC, Tilburg University
“Killer acquisitions” by Cunningham, Ederer and Ma, forthcoming in the Journal of Political Economy.

WORK-IN-PROGRESS (WIP) MEETINGS - TILEC

WIP Meetings are internal events where TILEC members present their own work at an early stage, for comments and discussion.

19 February 2020

Enrico Partiti, LTMS, TILEC, Tilburg University
Zero Deforestation Regulation

26 February 2020

Konrad Borowicz, TILEC, Tilburg University
Contracts as organizations: trade associations and the evolution of financial boilerplate

4 March 2020

Peerawat Samranchit, TILEC, Tilburg University
Price Competition under Search with Inaccurate Recommendations

22 April 2020 (*Online event)

Liebrich Hiemstra, TILEC
Energy Trading and its Multiplicity of Supervisors

13 May 2020 (*Online event)

Gijsbert Zwart, RUG and TILEC
Competition for single-homers

20 May 2020 (*Online event)

Panos Delimatsis, TILEC
Service directive / Airbnb case

27 May 2020 (*Online event)

Stephanie Bijlmakers, TILEC
‘No iso-fix for human rights: a critical perspective on ISO26000’

10 June 2020 (*Online event), *(Cancelled event)*

Phuc Phung, TILEC
The proper Scope of Government in Hospitals

24 June 2020 (*Online event)

Damien Geradin, TILEC
The antitrust case against the Apple App Store

01 July 2020 (*Online event)

Peerawat Samranchit, TILEC
The dynamic of leveraging in digital ecosystem

02 September 2020 (*Online event)

Tobias Klein, TILEC
A Simple Test for Data-Drivenness of Markets

09 September 2020 (*Online event)

Can Atik and **Bertin Martens**, TILEC
Governing Agricultural Data and Competition in Data-driven Agricultural Services: Evaluating Voluntary Ag-Data Rules in the US and EU from Farmers’ Perspective

16 September 2020 (*Online event)

Ittai Shacham, TILEC

Advertising Quantity Regulation and Content Quality Distortion

30 September 2020 (*Online event)

Madina Kurmangaliyeva, TILEC

Search Engines, User Information, and Quality

07 October 2020 (*Online event)

Jens Prüfer and **Inge Graef**, TILEC

Governance of Data Sharing: a Law & Economics Proposal

14 October 2020 (*Online event)

Anna Butenko, TILEC

Inevitable convergence between EU energy and ICT sector regulation: Security and reliability of electronic communications as an example.

21 October 2020 (*Online event)

Eric van Damme and **Giorgio Monti**, TILEC

Guidelines Sustainability agreements Opportunities within competition law – the ACM's approach

04 November 2020 (*Online event)

Michael Verba, TILEC

The Right Sort?: How Two-Tiered Patent Systems Induce Sorting

11 November 2020 (*Online event)

Yueting Yu, TILEC

Pay-as-Bid Auctions in Electricity Markets

OTHER INTERNAL EVENTS - TILEC

21 January 2020

TILEC New Year's get-together

Tilburg University

25 September 2020

TILEC Annual Retreat

Online Meeting / Faculty Club, Tilburg University

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