



CREATE

The Competition  
Law Hub

## Workshop on

### *Implications of the New Market Definition Notice*

On 8 February 2024, the European Commission published its new [Market Definition Notice 2024](#). This Notice consolidates knowledge and Commission practice of the last two decades as well as introducing new concepts. At the same time, the Federal Trade Commission and the Department of Justice published new US [Merger Guidelines](#) in December of 2023 that also address the question of the relevant market.

Against this background, the [Journal of Antitrust Enforcement](#) launched a call for papers to bring together scholarship in law and in economics addressing the changes introduced by these new soft law instruments, and their implications for competition law scholarship and practice. The selected papers will be published as a special issue, with Magali Eben and Vicky Robertson as guest editors.

This one-day workshop aims at discussing the draft papers and providing feedback on them.

## Wednesday, 20 November 2024

12:30 Registration & coffee WU Vienna, [Conference room 6](#) (building AD),  
Welthandelsplatz 1, 1020 Vienna

12:50 Workshop introduction Magali Eben (University of Glasgow & CREATE) &  
Vicky Robertson (WU Vienna & CLH)

### (1) Digital Market Definition

*Chair:* Magali Eben (University of Glasgow & CREATE)

13:00 **The European Commission's Understanding of the Term 'Ecosystem':  
Lessons for Future Enforcement under the Revised Notice on the Definition  
of the Relevant Market**

Joanna Mazur & Antoni Napieralski (both University of Warsaw)

13:10 **Comments**

Timo Klein (Utrecht University & Oxera)

13:20 **Adding a Side: Market Definition as a Frame of Reference for Structural Change in ‘Ecosystem Mergers’**

Emanuela Lecchi (University of Dundee)

13:30 **Comments**

Annika Stöhr (TU Ilmenau)

13:40 **An AI-Centric Market Definition for Video Games**

Fabian Ziermann (WU Vienna & CLH)

13:50 **Comments**

Oliver Budzinski (TU Ilmenau)

14:00 **Discussion**

14:30 Coffee

## (2) Rethinking Economic Tools for Market Definition

*Chair:* Vicky Robertson (WU Vienna & CLH)

15:00 **Principles for Customer-Centric Market Definition: HMT or HCC?**

Lirio Barros (Oxera), Timo Klein (Utrecht University & Oxera), Sophie Kümmel & Ilaria Noviello (both Oxera)

15:10 **Comments**

Joanna Mazur (University of Warsaw)

15:20 **The Concept of Systemic Market Power in Merger Control and its Consideration in the European Commission’s 2024 Market Definition Notice**

Annika Stöhr & Oliver Budzinski (both TU Ilmenau)

15:30 **Comments**

Hedvig Schmidt (University of Southampton)

15:40 **A Practical Guide to Market Definition in the Context of Multi-Sided Platforms**

Gunnar Niels & Helen Ralston-Smith (both Oxera)

15:50 **Comments**

Emanuela Lecchi (University of Dundee)

16:00 **Discussion**

16:30 Coffee

### (3) Further Considerations in Market Definition

*Chair:* Magali Eben (University of Glasgow & CREATE)

- 17:00     **Market Definition: Sorting-out Some Important Issues**  
Lawrence J. White (New York University Stern School of Business) – *remote*
- 17:10     **Comments**  
Helen Ralston-Smith (Oxera)
- 17:20     **Patents and Market Definition Under Scrutiny – Is the Commission’s Approach Innovation Proof?**  
Hedvig Schmidt (University of Southampton)
- 17:30     **Comments**  
Antoni Napieralski (University of Warsaw)
- 17:40     **A Promise That Underdelivers: The New Market Definition Notice**  
Anouk van der Veer (European University Institute)
- 17:50     **Comments**  
Gunnar Niels (Oxera)
- 18:00     **Discussion**

18:30     Closing                     Magali Eben (University of Glasgow & CREATE) &  
Vicky Robertson (WU Vienna & CLH)