

ATTORNEYS GENERAL EDUCATION PROGRAM

# Network Effects, Platforms, and the State of the Digital Economy

Sunday, April 16 – Friday, April 23, 2021 | ARLINGTON, VA

GEORGE MASON UNIVERSITY ANTONIN SCALIA LAW SCHOOL

**LAW &  
ECONOMICS  
CENTER**

## SUNDAY, APRIL 18

All sessions held at Le Méridien, Arlington

**5:00 - 6:30 pm**

**Registration, Lobby**

**6:30 pm**

**Welcome Reception & Dinner, Adagio**  
(Guests welcome)

## MONDAY, APRIL 19

All Sessions held at George Mason University Antonin Scalia Law School, Manne Room

**6:45 am**

**Bus Departs, Le Méridien to Antonin Scalia Law School**

**7:00 - 8:00 am**

**Breakfast, Van Metre 125**

**8:00 - 9:15 am**

**Class 1: Network Effects and Digital Platforms**

**John Yun**, Associate Professor of Law, George Mason University Antonin Scalia Law School

**Reading Assignments:**

Marc Rysman, *The Economics of Two-Sided Markets*, 23 Journal of Economic Perspectives. 125 (2009).

John M. Yun, *Overview of Network Effects & Platforms in Digital Markets*, in the Global Antitrust Institute Report on the Digital Economy, 2020, pages 1-32.

**9:30 - 10:45 am**

**Class 2: Open v. Closed Systems and Coordinating Ecosystems | Yun**

**Reading Assignments:**

Hanno F. Kaiser, *Are "Closed Systems" an Antitrust Problem?*, 7 Competition Policy International. 91 (2011).

*American Needle v. National Football League*, 130 S.Ct. 2201 (2010).

**11:00 am - 12:15 pm**

**Class 3: Competition, Monopoly, & Antitrust Market Power | Yun**

**Reading Assignments:**

Henry N. Butler et al., *Chapter IX: Market Structure and Antitrust*, in *Economic Analysis for Lawyers* (3rd ed. 2014), pages 492-507, 517-519, 523-526, 537.

Benjamin Klein, *Market Power in Antitrust: Economic Analysis After Kodak*, 3 Sup. Ct. Economic Review 43 (1993), pages 71-82.

**12:15 pm**

**Adjourn for Day: Afternoon Study Session**  
**Bus Departs, Antonin Scalia Law School to Le Méridien**

**TUESDAY, APRIL 20**

*All Sessions held at George Mason University Antonin Scalia Law School, Manne Room*

**6:45 am**

**Bus Departs, Le Méridien to Antonin Scalia Law School**

**7:00 - 8:00 am**

**Breakfast, Van Metre 125**  
*(Guests welcome)*

**8:00 - 9:15 am**

**Class 4: Sharing Economy & Algorithmic Collusion | Yun**

**Reading Assignments:**

Ai Deng, *Algorithmic Collusion and Algorithmic Compliance: Risks and Opportunities*, in the Global Antitrust Institute Report on the Digital Economy, 2020, pages 964-1023.

United States v. David Topkins, Complaint (2015).

**9:30 - 10:45 am**

**Class 5: Vertical Restraints | Yun**

**Reading Assignments:**

Daniel P. O'Brien, *The Economics of Vertical Restraints in Digital Markets*, in the Global Antitrust Institute Report on the Digital Economy, 2020, pages 263-328.

Dennis W. Carlton & Ken Heyer, *Extraction vs. Extension: The Basis for Formulating Antitrust Policy Towards Single-Firm Conduct*, 4 Competition Policy International 285 (2008).

**11:00 am - 12:15 pm**

**Class 6: Antitrust and Economics of Big Data**

**James Cooper**, Associate Professor of Law, George Mason University Antonin Scalia Law School

**Reading Assignments:**

*The Global Antitrust Institute Report on the Digital Economy*, pages 220-243.

**12:15 pm**

**Adjourn for Day: Afternoon Study Session**

**Bus Departs, Antonin Scalia Law School to Le Méridien**

## WEDNESDAY, APRIL 21

All Sessions held at George Mason University Antonin Scalia Law School, Manne Room

**6:45 am**

**Bus Departs, Le Méridien to Antonin Scalia Law School**

**7:00 - 8:00 am**

**Breakfast, Van Metre 125**  
(Guests welcome)

**8:00 - 9:15 am**

**Class 7: Predatory Innovation? | Yun**

**Reading Assignments:**

Thibault Schrepel, *Predatory Innovation: The Definite Need for Legal Recognition*, 21 SMU Science & Technology Law Review 19 (2018).

Joseph Gregory Sidak, *Debunking Predatory Innovation*, 83 Columbia Law Review 1121 (1983).

California Computer Products v. IBM, 613 F.2d 727 (1979).

**9:30 - 10:45 am**

**Class 8: Advertising in the Digital Economy | Cooper**

**Reading Assignments:**

*The Global Antitrust Institute Report on the Digital Economy*, pages 679-706.

**11:00 am - 12:15 pm**

**Class 9: Potential Competition, Nascent Competitors, and Killer Acquisitions | Yun**

**Reading Assignments:**

John M. Yun, *Are We Dropping the Crystal Ball? Understanding Nascent & Potential Competition in Antitrust*, 104 Marquette Law Review (forthcoming, 2021).

FTC v. Steris Corp., 133 F.Supp.3d 962 (N.D. Ohio 2015).

U.S. v. Visa & Plaid Inc., Complaint (2020).

**12:15 pm**

**Adjourn for Day: Afternoon Study Session**

**Bus Departs, Antonin Scalia Law School to Le Méridien**

## THURSDAY, APRIL 22

All Sessions held at George Mason University Antonin Scalia Law School, Hazel Hall, Manne Room 215

**6:45 am**

**Bus Departs, Le Méridien to Antonin Scalia Law School**

**7:00 - 8:00 am**

**Breakfast, Van Metre 125**

**8:00 - 9:15 am****Class 10: Rent-Seeking and Public Choice in the Digital Economy**

**Donald Kochan**, Professor of Law, George Mason University Antonin Scalia Law School

**Reading Assignments:**

*The Global Antitrust Institute Report on the Digital Economy*, pages 498-550.

**9:30 - 10:45 am****Class 11: Federalism and Antitrust**

**Bruce Kobayashi**, Professor of Law, George Mason University Antonin Scalia Law School

**Reading Assignment:**

Bruce Johnsen & Moin A. Yahya, *The Evolution of Sherman Act Jurisdiction: A Roadmap for Competitive Federalism*, 7 *Journal of Constitutional Law* 403 (2004).

Frank H. Easterbrook, *Antitrust and the Economics of Federalism*, 26 *The Journal of Law and Economics* 23 (1983).

*The Global Antitrust Institute Report on the Digital Economy*, pages 1118-1157.

**11:00 am - 12:15 pm****Class 12: Antitrust and Privacy | Cooper****Reading Assignments:**

*The Global Antitrust Institute Report on the Digital Economy*, pages 1188-1122.

**12:15 pm****Adjourn for Day: Afternoon Study Session**

**Bus Departs, Antonin Scalia Law School to Le Méridien**

**6:15pm**

**Bus Departs, Le Méridien to Lyon Hall**

**6:30 pm**

**Closing Reception & Dinner, Lyon Hall**  
(Guests welcome)

**8:30pm**

**Bus Departs, Lyon Hall to Le Méridien**

**FRIDAY, APRIL 23**

*Travel day, Participants depart at their leisure*