

**ANTITRUST
LAW 6550 CLASS 29648
UNIVERSITY OF FLORIDA LEVIN COLLEGE OF LAW
PROFESSOR WENTONG ZHENG—3 CREDITS
FALL 2024**

SYLLABUS

(Updated Aug 2, 2024)

COURSE INFORMATION

Credit: 3

Class meeting time and place: Tue/Thu, 1:45-3:10 pm, Classroom: HH 355B

Office hours: Tue/Thu, 12:00-1:00 pm

Office: Holland Hall 312M

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COURSE DESCRIPTION

This class is about the law of competition, monopoly, and markets—the laws that protect consumers by ensuring competition in the marketplace. We will discuss many questions, some of which are front and center in today’s biggest antitrust challenges. What are the goals of antitrust law and why? What makes a monopoly unlawful? What rules limit businesses in dealing with their competitors and those in their supply chain? When does tough competition become unlawful exclusion? And how does all this work when applied to massive entities like Big Tech? When should one entity be prevented from buying or merging with another? We will explore these and other important questions throughout the course, with a focus on some of the most pressing issues of today.

The class is aimed towards those who are new to antitrust law. Topics for discussion will include agreements among competitors, monopolization, merger review, and the intersection of antitrust and intellectual property. We will examine Supreme Court doctrines, influential modern lower court decisions, and government enforcement guidelines.

COURSE OBJECTIVES

At the end of this course, students should be able to:

1. Understand the goals of antitrust, its basic institutions, and enforcement structures;

2. Understand the antitrust and enforcement policies governing mergers, including Section 7 of the Clayton Act, the 2010 Horizontal Merger Guidelines, and vertical merger analysis;
3. Understand the antitrust laws and enforcement policies governing horizontal restraints of trade, including Section 1 of the Sherman Act; and
4. Understand the antitrust laws and enforcement policies governing monopolization and vertical restraints of trade, including Section 1 and 2 of the Sherman Act.
5. Understand the antitrust laws and enforcement policies governing intellectual property, particularly antitrust issues in the standardization setting.

REQUIRED COURSE MATERIALS

We will use an open-source publication by the American Bar Association (ABA), *Antitrust Principles, Cases, and Materials* (Working Draft - Spring 2023), by Daniel Francis and Christopher Jon Sprigman, which will be available on Canvas. Please be sure to register for the Canvas course and have any required materials with you in print or easily accessible electronic form in class. You are responsible for checking your Canvas page and the e-mail connected to the page on a regular basis for any class announcements or adjustments.

We will also assign enforcement agency guidelines and other supplementary materials and articles that will be posted on Canvas or otherwise available online.

COURSE WORKLOAD

It is anticipated that you will spend approximately 6 hours outside of class every week, reading assigned materials and preparing for class.

CLASS ATTENDANCE

Attendance is mandatory and you are expected to be on time. Beginning in the second week of the semester, you will be required to sign an attendance sheet for every class. However, I understand that circumstances beyond your control may cause you to miss classes. Therefore, each student is allowed to have four (4) absences with no negative consequences. Provided that your total number of absences does not exceed four (4), you do NOT have to notify me of the absences in advance or provide any justifications for them.

If you expect your total number of absences to exceed four (4), however, please do notify me in advance of the anticipated absences. If the circumstances causing the anticipated absences are extraordinary—a determination to be made by me alone—I may exempt you from the class attendance policy for the absences. Extraordinary circumstances include, but are not limited to, medical emergency (with doctor's note), protracted illness (with doctor's note), and job interviews (with interviewer's note). Absences due to observance of religious holidays are exempted from the class attendance requirement, too.

If your total number of absences in the semester exceeds four (4) and you did not obtain advance approval from me, I reserve the right to lower your final grade by one level (A to A-, A- to B+, and so on). If your total number of absences in the semester exceeds eight (8) and you did not

obtain advance approval from me, I reserve the right to lower your final grade by two levels (A to B+, A- to B, and so on).

CLASS PARTICIPATION

You will be assigned to a panel of students who will be “on call” for one—and only one—week in the semester. Please make sure that you are prepared for class discussions during your assigned week. You are encouraged to participate in class discussions even if you are not on call. I reserve my right to adjust your final grade based on your class participation record (see also Grading).

FINAL EXAMINATION

Date: December 4, 2024

The final exam for this course will be a three-hour open book exam consisting of three essay questions. Your performance in the final exam will account for 100 percent of your final grade.

GRADING

The composition of your final grade for this course is as follows:

Final Exam: 100%

As explained above in Class Attendance, I reserve the right to adjust your final grade based on your class attendance record.

As explained above in Class Participation, I reserve the right to adjust your final grade based on your class participation.

The Levin College of Law’s mean and mandatory distributions are posted on the College’s website and this class adheres to that posted grading policy. The following chart describes the specific letter grade/grade point equivalent in place:

Letter Grade	Point Equivalent
A (Excellent)	4.0
A-	3.67
B+	3.33
B	3.0
B-	2.67
C+	2.33
C (Satisfactory)	2.0
C-	1.67
D+	1.33

D (Poor)	1.0
D-	0.67
E (Failure)	0.0

The law school grading policy is available at <https://www.law.ufl.edu/life-at-uf-law/office-of-student-affairs/current-students/uf-law-student-handbook-and-academic-policies>.

Generally, I will grant grade change requests only for calculation errors. Substantive review and re-grading of answers to specific questions will not be granted unless answers to ALL questions are reviewed and re-graded.

COMPLIANCE WITH UF HONOR CODE

Academic honesty and integrity are fundamental values of the University community. Students should be sure that they understand the UF Law Honor Code located [here](#). The UF Law Honor Code also prohibits use of artificial intelligence, including, but not limited to, ChatGPT and Harvey, to assist in completing quizzes, exams, papers, or other assessments unless expressly authorized by the professor to do so.

OBSERVANCE OF RELIGIOUS HOLIDAYS

UF Law respects students' [observance of religious holidays](#).

- Students, upon prior notification to their instructors, shall be excused from class or other scheduled academic activity to observe a religious holy day of their faith.
- Students shall be permitted a reasonable amount of time to make up the material or activities covered in their absence.
- Students shall not be penalized due to absence from class or other scheduled academic activity because of religious observances.

EXAM DELAYS AND ACCOMMODATIONS

The law school policy on exam delays and accommodations can be found [here](#).

STATEMENT RELATED TO ACCOMMODATIONS FOR STUDENTS WITH DISABILITIES

Students requesting accommodations for disabilities must first register with the Disability Resource Center (<https://disability.ufl.edu/>). Once registered, students will receive an accommodation letter, which must be presented to the Assistant Dean for Student Affairs (Assistant Dean Brian Mitchell). Students with disabilities should follow this procedure as early as possible in the semester. It is important for students to share their accommodation letter with their instructor and discuss their access needs as early as possible in the semester. Students may access information about various resources on the UF Law Student Resources Canvas page, available at <https://ufl.instructure.com/courses/427635>.

STUDENT COURSE EVALUATIONS

Students are expected to provide professional and respectful feedback on the quality of instruction in this course by completing course evaluations online via GatorEvals. Click [here](#) for guidance on how to give feedback in a professional and respectful manner. Students will be notified when the evaluation period opens and may complete evaluations through the email they receive from GatorEvals, in their Canvas course menu under GatorEvals, or via <https://ufl.bluer.com/ufl/>. Summaries of course evaluation results are available to students [here](#).

RECORDINGS OF CLASS

Students are allowed to record video or audio of class lectures. However, the purposes for which these recordings may be used are strictly controlled. The only allowable purposes are (1) for personal educational use, (2) in connection with a complaint to the university, or (3) as evidence in, or in preparation for, a criminal or civil proceeding. All other purposes are prohibited. Specifically, students may not publish recorded lectures without the written consent of the instructor. A “class lecture” is an educational presentation intended to inform or teach enrolled students about a particular subject, including any instructor-led discussions that form part of the presentation, and delivered by any instructor hired or appointed by the University, or by a guest instructor, as part of a University of Florida course. A class lecture does not include lab sessions, student presentations, clinical presentations such as patient history, academic exercises involving solely student participation, assessments (quizzes, tests, exams), field trips, private conversations between students in the class or between a student and the faculty or guest lecturer during a class session. Publication without permission of the instructor is prohibited. To “publish” means to share, transmit, circulate, distribute, or provide access to a recording, regardless of format or medium, to another person (or persons), including but not limited to another student within the same class section. Additionally, a recording, or transcript of a recording, is considered published if it is posted on or uploaded to, in whole or in part, any media platform, including but not limited to social media, book, magazine, newspaper, leaflet, or third-party note/tutoring services. A student who publishes a recording without written consent may be subject to a civil cause of action instituted by a person injured by the publication and/or discipline under UF Regulation 4.040 Student Honor and Student Conduct Code.

Class Schedule and Assignments

The following table sets out the class schedule along with the assignment for each class. Chapters in the assignment table refer to chapters in the casebook. Both the schedule and the assignments are subject to change.

Dates	Topic	Assignment	Class Panel
Aug. 20	Introduction & Overview (I)	Chapter I	--
Aug. 22	Introduction & Overview (II)	Chapter I; supplemental reading	
Module I: Agreements			
Aug. 27	Agreements	Chapter IV	Maximus Baldwin Rikki Blake Brookes Max Blue Caroline Ruth Bradley Dannon R Catherwood Monif Chahla
Aug. 29	Horizontal Agreements	Chapter V, Sections A-B	
Sept. 3	Horizontal Agreements	Chapter V, Sections C-D	Nathan Riley Cochran Alexander P Cohen Steven W Cutler Wesley Dantzler Andrew Joseph Daves Manoach T Deliscar
Sept. 5	Vertical Agreements	Chapter VI, Sections A-C	
Module II: Monopolization			
Sept. 10	Antitrust Economics	Chapter II	Skylar T.I. Detjen MacKenzie Ann DiLeo Austin Esposito Skye Jacquelyn Fox Chana Gandelsman Michael E Guirgis
Sept. 12	Market Power and Market Definition	Chapter III	
Sept. 17	Cancelled		
Sept. 18 (makeup)	Monopolization	Chapter VII, Sections A-C.3	Christopher J Hanna Pablo Orlando Hanono Mori Z Harris Patrick L Healy Jake S Heiges Garrett Horton
Sept. 19	Monopolization	Chapter VII, Sections C.3-D.1	
Sept. 24	Monopolization	Chapter VII, Sections D.2-D.3	Kevin A Kapral Noell N Kellers Philip Kelly Autumn Hope Klein Anusha Krisnani Kate Lee
Sept. 26	Monopolization	Chapter VII, Sections D.4-E	
Module III: Merger Control			
Oct. 1	Merger Control	Chapter VIII, Sections A-B.2(a); Chapter XI, Section E	Elizabeth Marie Leonard Vas Levin

Oct. 3	Merger Control	Chapter VIII, Sections B.2(b) & B.2(c)	Li Lin William L Liu Javier E Lopez-Nieto Erika M Martinez
Oct. 8	Merger Control	Chapter VIII, Sections B.2(d), C, and D.2	Connor M McCarthy James M McCauley Luiz Antonio Milanez Issac Miller Ocean Lis Miller-Shaked William Booker Moore
Oct. 10	Merger Control	Chapter VIII, Sections D.1, D.3-E.1, and E.3	Aubrey Marie Mys Jake Orlick Devki A Pancholi Natasha Krystina Peet Katie Madeline Pine Michael JC Porter
Module IV: Enforcement			
Oct. 15	Immunities and Exemptions	Chapter IX	Daniel Agustin Ramos Samuel B Rappeport Max Andrew Razavi David Aaron Rhein Hannah Rice Chase M Robinson
Oct. 17	Government Enforcement	Chapter XI	
Oct. 22	Criminal Enforcement	Supplemental reading	Dalton R Robinson Winslow F Robinson Christopher M Ruckdeschel David Safir Aaron Michael Sarner Reese Michael Sarnowski
Oct. 24	Private Enforcement	Chapter XII	
Module V: Advanced Topics			
Oct. 29	Intellectual Property and Antitrust (I)	Chapter X	Charles A Seymour Madeline D Smith Jennifer St. George Tyler C Thorne Emma Reid Towler Matthew G Trainor
Oct. 31	Intellectual Property and Antitrust (II)	Supplemental reading	
Nov. 5	Comparative Antitrust: Europe	Supplemental reading	Lauren Ashley VanHemel Lily Wang Xuan Wang Yanjun Wang Jonathan I Williams Julie C Wittenberg
Nov. 7	Comparative Antitrust: China	Supplemental reading	
Nov. 12	Digital Platforms Antitrust	Supplemental reading	Claire E Wubben Fengnian Zhou Runyuan Zhou
Nov. 14	Review	--	