

Notice for the PhD Viva Voce Examination

Mr Chetan Jayant Dixit (Registration Number: 1860071), PhD Scholar at the School of Law, CHRIST (Deemed to be University), Pune Lavasa Off Campus, will defend his PhD thesis at the public viva-voce examination on Saturday, 15 March 2025 at 12.00 pm in the Seminar Hall (Room No. 2208), Management Block, CHRIST (Deemed to be University), Pune, Lavasa - 412112, Maharashtra, India.

Title of the Thesis	:	Data Driven Mergers under Competition Law: A Comparative Study of US, EU and India
Discipline	:	Law
External Examiner - I	:	Dr Mangalsingh S Bisen Associate Professor Central University of Kashmir Green campus, Dudherma Ganderbal - 191201 Jammu and Kashmir
External Examiner - II	:	Dr Ashok Wadje Associate Professor Maharashtra National Law University Aurangabad, Paithan Road Kanchanwadi, Sambhaji Nagar Aurangabad - 431011
Supervisor	:	Dr Sanjay Satyanarayan Bang Associate Professor School of Law Pune Lavasa Off Campus CHRIST (Deemed to be University) Maharashtra - 412112
Co-Supervisor	:	Dr Fincy Pallissery Professor School of Law CHRIST (Deemed to be University) Delhi NCR

The members of the Research Advisory Committee of the Scholar, the faculty members of the Department and the School, interested experts and research scholars of all the branches of research are cordially invited to attend this open viva-voce examination.

Place: Bengaluru
Date: 06 March 2025


Registrar (Academics)

ABSTRACT

In the current digital economy, the aspects as well as modes of conducting business has been rapidly changing. Traditional Ecosystem has been experiencing the digital revolution at unprecedented speed. Traditional Brick-Mortar economy deals with the aspect of monetary aspect when it comes to doing business. Modern Digital economy is also dealing with the same but non-monetary aspect has added much value on this process. Data or digital trails of a user has made a significant impact on the modus operandi of this digital economy. Not only for the purpose of identifying strategy to counter the competitors but this data has a potential to have a Data-Opoly in the digital market. This data advantage over the rivals has been a very crucial aspect nowadays. That is the main reason behind calling this big data as a “New Currency” in the digital age. As the aspect of data analytics has gained much importance in today’s world, many corporations have started various ways of getting this data. One of those popular techniques is data driven merger.

Traditional merger analysis focuses more upon the aspect of threshold which is based on the asset as well as turnover. Any combination involving asset or turnover touching or crossing this turnover warrants this antitrust scrutiny by respective antitrust authorities. This provision enables those tech-giants whose asset or turnover is below the threshold but who are dominating the digital platform. In such cases the aspect for the proposer of this combination is not just an asset of the target company but the data held by that company. Hence there is need to consider the data aspect while regulating the similar combinations which are generally termed as data driven combinations.

In this thesis, researcher has studied the merger regulations of US, EU as well as India. While doing this research, it has been observed that US as well as EU has understood the main concern raised by the increasing proportion of data driven mergers. Still the tech-giants like Google, Amazon, Facebook, Apple and Microsoft could find the loopholes in it and found an escaping way from antitrust scrutiny. This issue is also already addressed by Federal Trade Commission’s inquiry, later on. Hence accordingly they have revised their merger regulation to give antitrust consideration to this aspect of data which is apparently reviewable. However Indian Competition law is comparatively at nascent stage. Indian competition law has not developed the competition jurisprudence to regulate the competition on the digital platform. The aspect of the data is not much received the attention of competition commission, however the recent amendments as well as upcoming bill on the digital competition does have a potential to consider the data aspect from antitrust lenses. There are not enough cases relating to data where competition commission has given due consideration to the aspect of data.

Hence There is a need to analyze the competitive significance of data in the case of data driven mergers.

Keywords: *Data Driven Mergers, Competition Law, Data-Opoly, Digital Competition*

Publications:

1. **Chetan Dixit & Dr. Sanjay Bang** (2024). Competition Law and Digital Cartels: Understanding India’s regulatory Framework for Hub and Spoke Arrangements”. Journal of Oriental Institute (UGC Care) Vol. 72 (2).
2. **Chetan Dixit & Dr. Sanjay Bang** (2024)- Demystifying GAFAM’s Acquisition Strategy and Its Impact on The Indian Competition Law”. Annals of Bhandarkar Oriental Research Institute (UGC Care) Vol. CV, (5).