



Postgraduate Course AI IN LEGAL PRACTICE AND ITS REGULATION

2026/2027

Curricular unit

AI & Competition Law

Responsible Academic staff and respective workload in the curricular unit

Miguel Moura e Silva / Thibault Schrepel / Nuno Cunha Rodrigues / Tânia Luísa Faria

Syllabus

AI technologies have been subject to close scrutiny by competition authorities in various jurisdictions. This course will address the issues raised by the recent explosion of AI development and deployment from the perspective of competition law.

Week 1 provides an introduction to competition law in digital markets, and key issues relating to AI and collusion and potential abuses of dominance that may prevent competitive outcomes in Generative AI.

Week 2 provides an overview of the Single Digital Market, and how the different EU legal instruments, such as the AI Act, the Digital Service Act (DSA), and the Digital Markets Act (DMA) relate to competition law and AI.

Teaching methodologies

Seminars

Main Bibliography

Books:

Abbott, Alden; Schrepel, Thibault, (orgs.) *Artificial Intelligence and Competition Policy*: Concurrences, 2024.

Academic articles and papers:

Abrantes-Metz, Rosa M.; Metz, Albert D., "Antitrust and Regulatory Compliance in the 21st Century: New Challenges, New Opportunities and the Role of AI", in Thépot, Florence; Tzanaki, Anna, (orgs.) *Research Handbook on Competition Corporate Law*, Cheltenham: Edward Elgar, 2025, p. 410.

Albert, Simon, "An EU competition law analysis of potential collusion risks surrounding generative artificial intelligence t *E.C.L.R.*, vol. 45, n.º 4, 2024, p. 147.

Athey, Susan; Morton, Fiona Scott, "Artificial Intelligence, Competition, and Welfare", *NBER, WORKING PAPER 34444*, Economics of Transformative AI Workshop, Fall 2025, 2025.

Azoulay, Pierre; Krieger, Joshua; Nagarai, "Old Moats for New Models: Openness, Control, and Competition in Generative Artificial Intelligence", *Entrepreneurship and Innovation Policy and the Economy*, vol. 4, n.º 1, 2025, p. 7.

Barnett, Jonathan M., "A "Minority Report" on Antitrust Policy in the Generative AI Ecosystem", 2025.

Bostoen, Friso; Krämer, Jan, "Is the DMA Ready for Agentic AI (CERRE Report)", Bruxelles, 2025.

Couéré, Benoît, "The competitive dynamics of generative artificial intelligence", *Journal of Antitrust Enforcement*, vol. 13, 2025, p. 1.

Davies, Todd, "Innovation or Infringement? Generative AI and the Potential for Exclusionary Abuse under Article 102 TF *CLES Policy Paper Series 1/2025*, 2025.

Failla, Carla, "AIs and their competitive effects: a legal perspective on the impact of AIs on markets and consumer behavi *E.C.L.R.*, vol. 46, n.º 11, 2025, p. 455.

Hagiu, Andrei; WRIGHT, Julian, "Artificial intelligence and competition policy", *International Journal of Industrial Organiz* vol. 103, 2025.



- Gal, Michal S.; Rubinfeld, Daniel L., "Algorithms, AI, and Mergers", *Antitrust Law Journal*, vol. 85, n.º 3, 2024, p. 683.
- Gilbert, Paul; Tremolada, Riccardo, "GenAI and antitrust: tread lightly in times of uncertainty", *E.C.L.R.*, vol. 46, n.º 2, 2025
- Göhl, Jan-Frederick, "Future Proofing the DMA for Agentic AI: Lessons from the AI Act", *World Competition*, vol. 48, n.º 3 p. 315.
- Liberatore, Francesco; Mackowski, Martin, "Artificial intelligence and antitrust issues: a competition law practitioner's perspective", *Solicitors Journal*, vol. 167, n.º 8, 2024, p. 23.
- Lorenzoni, Isabella, "Why Do Competition Authorities Need Artificial Intelligence?", *Yearbook of Antitrust and Regulatory Studies*, 2022, p. 33.
- Manta, Andreea-Mariana, "Recent Trends in the Use of Artificial Intelligence Tools for Competition Law Enforcement", *Romanian Competition Journal*, n.º 2, 2024, p. 72.
- Martínez, Alba Ribera, "Generative AI in Check: Gatekeeper Power and Policy Under the DMA", 2024.
- Meyers, Zach; Bourreau, Marc, "What Policy Interventions for a Competitive AI Sector? (CERRE Report)", Bruxelas, 2025.
- Meyers, Zach; Bourreau, Marc, "A Competition Policy for Cloud and AI", 2025.
- Mitra, Shourya, "Competition concerns with foundation models: a new feast for big tech?", *European Competition Journal*, 21, n.º 1, 2025, p. 140.
- Schrepel, Thibault, "Decoding the AI Act: Implications for Competition Law and Market Dynamics", *Journal of Competition & Economics*, vol. 21, n.º 3, 2025, p. 374.
- Schrepel, Thibault; Potts, Jason, "Measuring the openness of AI foundation models: competition and policy implications", *Information & Communications Technology Law*, vol. 34, n.º 3, 2025, p. 279.
- Stucke, Maurice E.; Ezrachi, Ariel, "Antitrust & AI Supply Chains", *Theoretical Inquiries in Law*, vol. 26, n.º 1, 2025, p. 147.
- Weck, Thomas, "AI and competition policy: balancing innovation and market regulation", *Journal of AI Law and Regulation* 1, n.º 4, 2024, p. 440.
- Wiegand, Eugenio José Ruiz-Tagle, "From theory to tech: computational antitrust; concept, origins, and a path moving forward", *E.C.L.R.*, vol. 46, n.º 8, 2025, p. 316.
- Zheng, Kena, "Antitrust in artificial intelligence infrastructure – between regulation and innovation in the EU, the US, and China", *Computer Law & Security Review*, vol. 59, 2025.

Official reports and papers:

- Autorité de la Concurrence, *Opinion 24-A-05. of 28 June 2024, on the competitive functioning of the generative artificial intel sector.* (https://www.autoritedelaconcurrence.fr/sites/default/files/commitments/2024-09/24a05_eng.pdf).
- OECD, "Artificial Intelligence, Data and Competition", *OECD Artificial Intelligence Papers May 2024 No. 18*, 2024. (https://www.oecd.org/content/dam/oecd/en/publications/reports/2024/05/artificial-intelligence-data-and-competition_9d0ac766/e7e88884-en.pdf)
- Portuguese Competition Authority, *Issues Paper: Competition and Generative Artificial Intelligence*, 2023. (<https://www.concorrenca.pt/sites/default/files/documentos/Issues%20Paper%20-%20Competition%20and%20Generative%20Artificial%20Intelligence.pdf>).
- Competition Markets Authority, *AI Foundation Models: Initial Report*, 2023. (<https://www.gov.uk/government/publications/ai-foundation-models-initial-report>).
- "Competition in Generative AI and Virtual Worlds", *Competition Policy Brief*, n.º 3, 2024. (https://competition-policy.ec.europa.eu/document/download/c86d461f-062e-4dde-a662-15228d6ca385_en)