



III CCI – NLUD COMPETITION LAW MOOT 2020

March 13 - 15, 2020

Organised by NLU Delhi
in collaboration with
Competition Commission of India

National Law University Delhi

National Law University Delhi is a premier law university in India established by the National Law University Act, 2007 (Delhi Act No. 1 of 2008), at the initiative of the High Court of Delhi. The mandate and vision of the University is to create a legal education centre of global standards that will compete with the best outside India and to prepare lawyers for a legal career that introduces them to a wide range of opportunities in the profession across the globe. Legal education in India has undergone a paradigm shift in the last two decades and the University has played a key role in shaping these changes while preparing students, teachers and young advocates for emerging challenges and to solve existing ones with a clear vision and most importantly, instilling a belief that it could be achieved.

The University has hosted several international and national conferences and moot court competitions on newly emerging areas of law to be the pioneer in developing the jurisprudence for these subjects. To this end, NLU Delhi has successfully organized several moots in the past, including South-Asia Rounds of Oxford Price Media Law Moot Court Competition, India Rounds of ICC Trial Moot Court Competition and Vis Pre-Moot. The University has gained a reputation for its impeccable quality in organization of these events.

Competition Commission of India

Competition Commission of India (CCI) is a regulatory body established by the Government of India with effect from October 14, 2003. The duty of the Commission is to carry out the objectives enumerated under the Competition Act, 2002 that prohibits anti-competitive agreements, abuse of dominant position by enterprises and regulates combinations (acquisition, acquiring of control and M&A), which cause or are likely to cause an appreciable adverse effect on competition within India. The broad objective of the Act is to create and sustain fair competition in the economy that will provide a 'level playing field' to the producers and make the markets work for the welfare of the consumers.

To this end, the mandate of the CCI includes eliminating practices having adverse effect on competition; inspiring businesses to be fair, competitive and innovative; promotion and sustenance of competition; protection of the interests of consumers and ensuring freedom of trade in the markets of India.

To achieve its objectives, the Commission engages in wide-ranging advocacy programmes. These include conducting training sessions for judicial officers and district judges, organizing panel discussions and conferences on issues in competition law, offering internship opportunities to students and also organizing national level essay writing competition.

CCI-NLUD Competition Law Moot

Competition Law is an emerging field of law and its robust enforcement becomes a prerequisite for ensuring that the economic environment remains competitive and business deals adhere to the principles of fair competition and do not distort the market. Law schools can play a significant role in this regard by nurturing the growth of the subject through their curricula and other events, and also suggesting appropriate reforms to law. With the aim of fostering quality research and debate on anti-trust matters, NLU Delhi, in collaboration with the CCI is organizing the III CCI-NLUD Competition Law Moot 2020.

The Moot shall be based on the memorial elimination format. The top twenty (20) teams from universities all over India shall be selected to plead before eminent judges from the bar, bench, regulatory authorities, academia and industry in March 13-15, 2020. The venue for the oral rounds will be National Law University Delhi.

Organizing Committee

Competition Administrator: Prof. (Dr.) Harpreet Kaur, Professor of Law, National Law University Delhi

Student Coordinators:

Ipsita Pallavi Sahoo, V Year, National Law University Delhi

Aditya Mittal, IV Year, National Law University Delhi

Members:

- Tanay Jain, V Year, National Law University Delhi
- Aishwarya Gupta, IV Year, National Law University Delhi
- Ayush Baheti, IV Year, National Law University Delhi
- Harsh Chaudhary, IV Year, National Law University Delhi
- Mir Abul Hasnat Nazki , III Year, National Law University Delhi
- Ritika Bansal, III Year, National Law University Delhi
- Dritih Ganjoo, II Year, National Law University Delhi
- Ishita Khanna, I Year, National Law University Delhi

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Rules

1. Definitions

- a) Advanced rounds: It refers to the Quarter-finals, Semi-finals and Final rounds of the Competition.
- b) Memorial: It means the written arguments submitted, on behalf of both Parties, according to the official Competition rules by each team.
- c) Memorial Evaluators: It refers to the evaluators who will be responsible for marking the memorials submitted by the teams.
- d) Oral rounds: It refers to a team's pleadings, comprising of both speakers, submitted orally in front of the judges on behalf of one of the parties against another team representing the opposing party.
- e) Parties: It refers to the parties to the dispute as identified by the moot problem as Informant and Opposing Party.
- f) Preliminary rounds: It refers to the Oral Rounds which will take place before the Advanced Rounds of the Competition for the purpose of determining the teams which will proceed to the Advanced Rounds.
- g) Raw Scores: The aggregate of the memorial scores and the preliminary oral round scores in the round will constitute the Raw Scores of a team for a specific round.
- h) Round Points: For every round, every team will be evaluated on two aspects: memorial score and score in the oral rounds.

The memorial of every team will be scored by two (2) Memorial Evaluators. The memorial score of a team as marked by each Memorial Evaluator will be compared against the memorial score of the other team by the same Memorial Evaluator. The team which receives higher memorial score will be awarded one and a half (1.5) round points per evaluator.

Similarly, in oral rounds, a higher score given by a Judge in a Preliminary Round will carry three (3) round points per judge and a higher score given by a Judge in Quarter-finals and Semifinals will carry two (2) round points per judge.

- i) Rules: Rules mean these official Competition Rules and any applicable supplements to these Rules published by the Competition Administrator.
- j) Scouting: Scouting is the act of attending a round in which the members of the team or any person related to the team are not competing.
- k) Team code: Team code refers to the unique number allotted to each participating team for the purpose of this Competition.

2. Eligibility

All students enrolled in a 3-year LLB programme or a 5-year integrated LLB programme shall be eligible to participate in the CCI-NLUD Competition Law Moot. However, only one team per university/institution shall be eligible to participate.

3. Team Composition

The team composition shall be as follows: 2 Speakers & 1 Researcher. The teams may choose to participate without a Researcher.

4. Registration

Registration for the III CCI-NLUD Competition Law Moot 2020 will open on **November 18, 2019**. The last date for registration shall be **11:59 PM, December 28, 2019**.

The registration fee for the Competition is ₹5,000 and has to be paid either through the online portal or through a Demand Draft. Details about payment can be found in ***Annexure - II***.

The following documents shall be submitted by the teams at the time of registration:

- a) Duly filled registration form (available [here](#)).

- b) Certificate stating that the participants are bona fide students of the institution
(Annexure - I).
- c) Scanned copy of Demand Draft of registration fee/Receipt of online payment.

5. Assistance to a team from other team(s) or third parties

Teams are not permitted to receive substantive assistance towards preparation of memorials or arguments from any third parties, including teachers, alumni, students, etc. Any team found getting such assistance from third parties shall be immediately disqualified.

Further, in the event of collusion between two or more teams, all concerned teams will be subject to immediate disqualification.

6. Clarifications to the Moot Proposition

Clarifications can be sought until **11:59 PM, December 2, 2019.**

7. Rights over the memorials

The Competition Administrator reserves the right to disseminate and reproduce the memorials for the purpose of the Competition. Submission of memorials in this Moot will constitute the consent of the teams to such dissemination and reproduction.

The Competition Administrator will not be responsible for any mistakes that are a part of the memorial.

8. Memorial Rules

A. Format

- a) Each participating team is required to prepare a memorial for each party to the dispute with the following mandatory heads:
 - i. Cover Page
 - ii. Table of Contents

- iii. Index of Authorities
 - iv. Statement of Jurisdiction
 - v. Statement of Facts (not exceeding 2 pages)
 - vi. Issues Raised
 - vii. Summary of Arguments (not exceeding 2 pages)
 - viii. Arguments Advanced (not exceeding 12 pages)
 - ix. Final Submission/Prayer (not exceeding 1 page)
- b) Teams shall cite authorities using footnotes following **4th Edition OSCOLA** style.
- c) The Cover Page of each memorial must contain **only** the following information:
- i. The Team Code in the upper right corner of each memorial
 - ii. The name of the forum resolving the dispute
 - iii. The name of the Competition
 - iv. The Cause Title
 - v. The party for which the memorial is prepared
- d) All teams shall send one copy of the memorials in .docx format (Microsoft Office 2013 or Microsoft Office 2010) as well as .pdf format to ccinludmoot@nludelhi.ac.in on or before **11:59 PM, January 5, 2020** with the subject line as '**Memorials for <Team Code>**'. All four files (two .docx and two .pdf) should be submitted through a single mail.
- i. Memorials submitted twelve (12) hours *i.e.* after 11.59 AM, January 6, 2020 will not be accepted and shall be disqualified from the Competition.
 - ii. A memorial once submitted will be considered as final, and cannot be revised.
 - iii. In the scenario where any memorial is sent in late (in separate emails), the penalty for late submission imposed on the latter memorial will be imposed on both the memorials equally.
 - iv. Penalty will also be imposed if the aforementioned documents are sent in separate emails.

- e) It is the responsibility of each participating team to ensure that the electronic copies of the memorials:
 - i. Can be opened with Microsoft Office 2013 or Microsoft Office 2010 (.docx format) and Adobe Acrobat Reader 9 (.pdf format).
 - ii. Are named according to the team code and the party for which the memorial is proposed. (For instance, Team 01 will name its memorials as 01_I and 01_OP where I is Informant and OP is Opposing Party respectively.)
- f) Qualifying teams have to submit four (4) sets of hard copies for each side of the memorials to the Competition Administrator on or before **March 4, 2020**. The hard copies should be sent to 'Prof. (Dr.) Harpreet Kaur, National Law University Delhi, Sector 14, Dwarka, New Delhi'.
- g) All parts of the memorial (including headers, footers and headings) shall be typed on A4 sized paper/format, with the following Formatting Specifications:
 - i. Font Type: Times New Roman
 - ii. Font Size: 12
 - iii. Line Spacing: 1.5
 - iv. Margins: 1 inch on each side
- h) For footnotes, the Formatting Specifications are:
 - i. Font Type: Times New Roman Font Size: 10
 - ii. Single Spacing between lines
 - iii. Margins: 1 inch on each side
 - iv. Speaking footnotes or endnotes are not allowed.
- i) The memorials shall be spiral bound. The following colour schemes should be followed for the cover page of the memorial:
 - i. Informant – BLUE
 - ii. Opposing Party – RED
- j) The memorials shall not contain any annexure, photograph, graph, diagram or any other representation of like nature.

- k) The hard copies of the memorials have to be identical to the soft copies submitted by the team. In case of any violation of this rule, the team shall incur penalty, subject to the decision of the Competition Administrator.

B. Penalties

- a) Any memorial violating any of the specifications mentioned under Rule 8.A will be penalized according to the following scheme:

S. No.	Criterion	Penalty (each side)
1.	Late submission of Memorials	(-) 1 mark each, for every hour after the deadline
2.	Exceeding page limit prescribed in Rule (a)	(-) 1 mark per extra page
3.	Not following the Rules (c), (g) & (h)	(-) 0.5 mark per specification per page
4.	Not following Rule (b)	(-) 0.5 per violation, with a cap of 0.5 per page
5.	Exclusion of items mentioned in Rule (a)	(-) 2 mark per specification
6.	Submitting memorials in multiple emails	(-) 1 mark
7.	Speaking footnote or endnote	(-) 0.5 mark per footnote

- b) There will be a maximum cap on the penalties which are imposed for the violations mentioned in the table:
- For late submission of memorials, a maximum of 12 marks will be imposed as penalties.
 - For not following the formatting specifications prescribed in Rules (c), (g) & (h) as mentioned under Rule 8.A along with speaking footnotes and endnotes, a maximum penalty of 20 marks will be imposed.
 - No cap on penalties will be imposed on any specification other than those mentioned above.

- c) Plagiarism in "Arguments Advanced" and "Summary of Arguments" shall be punishable by immediate disqualification.
- d) Appeals regarding penalties shall lie with the Competition Administrator and the decision shall be final and binding.

C. Scoring criteria

The marks distribution for the memorial shall be as follows:

S. No.	Criterion	Marks
1.	Application of Facts	25 marks
2.	Reasoning	25 marks
3.	Use of Authorities and Precedent	20 marks
4.	Understanding Law and Procedure	20 marks
5.	Presentation	10 marks

9. Anonymity

There should be no indication of the institutions which the team represents, or the name of the members in the memorials or any other material carried inside the courtroom. The teams must also not disclose such information during the oral rounds. The teams should not attempt to disclose such information to the Judges, or any other person as decided by the Competition Administrator, for the entire duration of the Moot Court Competition.

The violation of this rule will cause severe penalty, which may involve disqualification, as determined by the Competition Administrator.

10. Qualification for oral rounds

A total of twenty (20) teams shall qualify for the Oral Rounds of the Moot. In a situation where more than 20 teams submit memorials for the moot, the teams with the highest memorial scores shall qualify for the Oral Rounds. The memorials scores used for this purpose will be exclusive of the penalties for formatting of the memorials, but will be inclusive of the penalties incurred, if any, for late submission. In a situation where there is a tie for a position in the top 20, the tie will be decided on the basis of the following aspects of the memorials scores:

- a) Marks given for 'Reasoning'
- b) If the tie continues, marks given for 'Application of Facts'
- c) If the tie continues till this stage, marks given for 'Understanding Law and Procedure'

For teams that are tied even after considering such above-mentioned tiebreakers, all teams that continue to be tied on that position will qualify for the Oral Rounds.

11. Format of the Competition

The Moot shall consist of Preliminary rounds and Advanced rounds. Each team will argue in two (2) preliminary rounds, once on behalf of each Party. In the Advanced rounds, the teams would represent only one side in each round.

12. Oral Rounds

A. Format

In the Preliminary rounds, power match-up (Team 1 v Team 20, Team 2 v Team 19...) and slide match-up system (Team 1 v Team 11, Team 2 v Team 12...) shall be used to determine the match-ups in the first and the second round respectively.

In the Quarter-final and Semi-final rounds, the power match-up system shall be used to determine the match-ups.

B. Scoring criteria

The teams with the highest number of wins will proceed to the Advanced Rounds from the Preliminary Rounds. The team with the higher number of Round Points in a round will be deemed to have won a round.

In a situation where there exists a tie in the number of two or more teams, the team with the higher number of total Round points will proceed to the Advanced Rounds. If the tie still subsists, it will be decided in the following order:

- a) On the basis of Raw Scores
- b) On the basis of 'Reasoning in the Application of Principles'
- c) The final decision will be made on the basis of a Coin Toss

The marks breakup for the Oral Rounds shall be as follows:

S. No.	Criterion	Marks
1.	Response to Questions and Articulation	25 marks
2.	Reasoning in the Application of Principles	25 marks
3.	Use of Authorities and Precedents	20 marks
4.	Application of Facts	20 marks
5.	Advocacy Skills, Court Craft and Demeanour	10 marks

C. Bench strength

The Bench for the purposes of the Preliminary Rounds shall consist of two judges. For the Advanced Rounds, there will be a three-judge bench for Quarter-finals & Semi-finals and a five-judge bench for the Final.

D. Communication between members of the team

During the Oral Rounds, communication between the members of a team shall be allowed, however, the same must be in written form and must not disturb the decorum of the Court.

E. Electronic devices in the Courtroom

The participating teams are not allowed to carry or use any electronic devices, except wristwatches (no smart-watches), in the Courtroom. In case a member of a team is found using any electronic device during the Oral Rounds, the team shall invite a severe penalty which may include disqualification.

F. Scouting

Every form of scouting is strictly prohibited and shall cause a disqualification of the team from the Competition. The decision of the Competition Administrator shall be final in this regard.

G. Duration

For Preliminary Rounds, each team will be allotted a total of thirty (30) minutes to present their arguments. No speaker shall be allowed to plead for more than twenty (20) minutes. Each team is entitled to reserve a maximum of five (5) minutes, out of the total thirty (30) minutes, for rebuttals and sur-rebuttals.

For Advanced Rounds, each team will be allotted a total of forty-five (45) minutes to present their arguments. No speaker shall be allowed to plead for more than twenty-five (25) minutes. Each team is entitled to reserve a maximum of five (5) minutes, out of the total forty-five (45) minutes, for rebuttals and sur-rebuttals.

The teams are requested to arrive at the designated Court room fifteen (15) minutes before the Round is supposed to start. In case the team is unable to report the designated Court room after ten (10) minutes of the starting of the Round, the team will forfeit the Competition and the Round will continue as an ex-parte round.

13. Advanced Rounds

The party to be represented by the teams in the Advanced Rounds shall be decided by way of a coin toss.

Qualification in the Advanced Rounds (from Quarter-finals to Semi-finals and so on) will be determined by win/loss in the respective Advanced Round.

14. Awards and Trophies

Awards will be distributed in the following categories:

A. Team

Team which wins the final round will be adjudged as the 'Winner of the CCI-Moot' and will get an amount of ₹ 75,000 along with a trophy. The team which secures the second place will get 'Runners-up' title and ₹ 50,000 as prize.

B. Best Memorial

Team with the highest memorial score (aggregate) will get the 'Best Memorial' prize along with a cash prize of ₹ 15,000.

C. Best Speaker

The speaker who secures the highest score (average) at the conclusion of the Preliminary Rounds will get award for the 'Best Speaker' with a cash prize of ₹ 15,000.

Note: It is necessary to argue for both parties in order to be eligible for the 'Best Speaker Award'.

15. Code of Conduct

A violation of the prescribed Code of Conduct will invite sanctions which will be decided by the Competition Administrator.

- a) Teams are expected to behave with other team members and the Judges/ Organisers/ Volunteers in a dignified manner.
- b) Teams should not attempt to influence Judges/ Organisers in any manner.
- c) Participants are expected to maintain decorum in the court during the Competition and to conduct themselves in a manner befitting the legal profession.

- d) The teams should not engage in any form of unethical, unprofessional and wrongful conduct during the entire period of the Competition.
- e) Participants should not indulge in the consumption/carrying of drugs/ alcohol/ arms or ammunitions/ immoral/ illegal activity or any other form(s) of taste/addiction during the course of the Competition.
- f) Participants must adhere to [Sexual Harassment Code](#).

16. Exemplary Power clause

In case of any dispute arising in the interpretation of the rules, or otherwise, the decision of the Faculty Advisor in consultation with the Organizing Committee (OC) would be final and binding. The Faculty Advisor in consultation with the OC will have the exclusive authority to interpret these Rules.

Moot Proposition

1. The sovereign Republic of Lalaland is a developing country, whose laws are *pari materia* with the laws of India. The Lalaland Competition Act, 2012 (LCA) is the primary statute governing competition law in Lalaland, which seeks to, *inter alia*, prevent activities having adverse effect on competition and to promote fair trade in Lalaland. To achieve the same, the LCA has established the Competition Commission of Lalaland (CCL) as the statutory authority for enforcement of the LCA.
2. The CCL relies on established competition law precedents in the European Union and the United States of America.
3. Black Mirror LLC, (Black Mirror) is a multinational technology company incorporated in California, United States of America (USA). It is primarily engaged in research and development (R&D) activities and licensing technology in the consumer electronics market worldwide. It is also engaged in manufacturing, developing and sale of consumer electronics. Black Mirror has various subsidiary companies across the world. It holds a portfolio of patents and other intellectual properties in relation to its technologies registered in the US and other countries. The asset and turnover of Black Mirror is more than INR 2000 crores and INR 6000 crores, respectively.

4. In the year 2016, Black Mirror incorporated its wholly owned subsidiary in Lalaland, namely, Matrix Lalaland Private Limited (Matrix). Matrix, holds license of various technologies developed by Black Mirror. It is solely engaged in sub-licensing Black Mirror's technologies in India and does not engage in any R&D activity. The assets and turnover of Matrix in the financial year 2017-18 was INR 320 crores and INR 1000 crores, respectively.
5. In the year 2017, in order to expand its footprints in the Lalaland market, Black Mirror, through Matrix, acquired 100 per cent of the equity shares of Minimax Private Limited (Minimax), a mobile phone manufacturer from its parent company, Maximax Private Limited (Maximax). The assets and turnover of Minimax in the financial year 2017-18 was INR 300 crores and INR 1100 crores respectively. As consideration for the acquisition of the 100 per cent shareholding of Minimax, Maximax acquired 10 percent of the equity shares of Matrix. For the primary step involving the acquisition of Minimax, Black Mirror was advised by its legal team that the same can take benefit of the target exemption under the LCA Combination Regulations, 2016 and thus, the transaction will not require notification with the CCL.
6. Recently in 2017, Black Mirror invented a path breaking and revolutionary technology hereinafter referred to as 'Solar Boost Technology'. The Solar Boost Technology is essentially a solar panel screen which can charge a mobile phone

by converting sunlight into electrical power. The technology embeds a panel of solar cells inside the display of a mobile to turn it into a self-charging screen. In this manner, the mobile phones can charge itself using solar energy. While Black Mirror is the only company in the world to develop the Solar Boost Technology, there are other players in the market that provide self-charging solutions for mobile phones that harvest other energy sources like kinetic energy and radio wave frequencies.

7. In the USA, another company named, Wall-E LLC, is in the process of developing a similar technology to Solar Boost Technology. Once, the invention is complete and Wall-E LLC gets appropriate regulatory approval and patent registration it aims to enter the market of different countries including that of Lalaland.
8. Black Mirror has introduced the Solar Boost Technology in many countries around the world including USA, U.K., Lalaland, South Africa and China. In Lalaland, Black Mirror has licensed the Solar Boost Technology to Matrix. Matrix further sub-licenses the technology to mobile phone manufacturers like Pineapple, SungSam, Minimax, etc. For the purposes of sub-licensing the Solar Boost Technology, Matrix entered into sub-licensing agreements (SLAs) with respective mobile phone manufacturers in 2017.
9. Under the SLAs, the mobile phone manufacturers are required to pay an up-front fee of INR 5 crores. In addition to the same, Matrix also charges a royalty

fees calculated at the rate of 15% of the MRP of each unit of mobile handsets sold by the mobile manufacturers that contain the Solar Boost Technology. Matrix gives 20% of the total royalty received from the mobile manufacturers to Black Mirror per annum. This arrangement is common across all Black Mirror Group companies in other countries, whereby Black Mirror licenses the Solar Boost Technology to its subsidiaries which further sub-license the same to the mobile phone manufacturers in the respective countries. The royalty charged by Black Mirror's subsidiaries in USA, U.K., France, South Africa and China is 23%, 21%, 20%, 11% and 10%, respectively.

10. In the SLAs, among other general clauses, Matrix introduced the following clause that are claimed to have been mutually negotiated with the mobile phone manufacturers:

(a) Clause 7.5 of the SLA:

"Before entering into an agreement with a manufacturer/provider of a competing technology to that of the Solar Boost Technology, the mobile manufacturer shall take written approval from Matrix"

11. In 2019, the economy of Lalaland faced economic slowdown which adversely impacted the financial growth of the mobile phone market in Lalaland. Accordingly, the mobile phone manufacturers requested Matrix to reduce the royalty fees charged by it as they felt the same was excessive. However,

despite repeated requests of the mobile phone manufacturers, Matrix refused to reduce the royalty and continued charging the same rate since 2017 on the ground that such rate was mutually negotiated at the time of entering into their respective SLAs.

12. Soon after, SungSam received a termination notice from Matrix stating that as per the SLA it is terminating the sub-license given to it on the ground that SungSam has failed to pay royalty for the past 8 months despite repeated reminders. Matrix also initiated a patent infringement suit against SungSam before the High Court.
13. In June 2019, being further aggrieved by the conduct of Matrix and Black Mirror, Pineapple and SungSam filed a complaint with the CCL alleging that Matrix and Black Mirror have violated the provisions of the LCA by: (i) charging excessive and unfair royalty from the mobile phone manufacturers; (ii) imposing unfair conditions under the SLAs such as clause 7.5 of the SLA that hinders technological development; (iii) treating Minimax favourably by charging substantially less royalty fees from it as compared to other mobile phone manufacturers (i.e. 10%).
14. Finding a *prima facie* case, CCL directed its investigation arm – the Director General (DG) – to investigate the allegations against Matrix and Black Mirror and registered the case as Case No. 99 of 2019. The CCL also directed the DG to

investigate the role of the office bearers of Matrix and Black Mirror under Section 48 of the LCA.

15. Soon after, two mobile phone manufacturers, namely, Vovi Mobiles (Vovi) and NI Phones (NI), also filed another complaint before the LCA alleging that Matrix refused to grant sub-license to them without providing any reason despite the fact that Vovi and NI have the requisite infrastructure and financial capacity to make use of the Solar Boost Technology. The CCL *prima facie* found that the nature of allegations made are similar to that in Case No. 99 of 2019. Accordingly, without hearing the parties, the CCL clubbed the present matter i.e. Case No. 100 of 2019 with Case No. 99 of 2019 and directed the DG to submit a consolidated report (Prima Facie Order).
16. Subsequently, Matrix and Black Mirror filed an application with CCL challenging the Prima Facie Order on the ground that the CCL does not have jurisdiction to entertain matters falling under the Lalaland Patents Act, 1970. Additionally, they also challenged that the office bearers of Matrix and Black Mirror cannot be investigated unless the CCL first returns a finding of contravention against Matrix and Black Mirror under LCA. The CCL directed Matrix to raise such jurisdictional issues as part of its objections to the DG report as and when the opportunity arises.

17. During the same period, the CCL also took cognizance of the acquisition of Minimax by Black Mirror and observed that the same was not notified to the CCL. Accordingly, it issued a show cause notice to Black Mirror, directing it to show cause as to why proceedings under Section 43A should not be initiated against them.
18. Meanwhile, the DG concluded its investigation report wherein it has concluded that the allegations made against Black Mirror are correct. The CCL decided to forward a copy of the DG report to the parties and fixed a date for final hearing.
19. Counsel for Black Mirror, Matrix and Counsel for Pineapple, Sungsam, Vovi and NI are set to appear for oral arguments before the CCL. The CCL also decided to hear Black Mirror on the Show Cause Notice on the same day.

NOTES:

- A. The economy and market conditions in India is a good proxy for the markets in Lalaland.
- B. The economy and market conditions in the USA, UK, France, South Africa and China mentioned in the moot proposition are identical to the economy and market conditions of these countries in reality.

- C. The Solar Boost Technology is not a standard essential patent. The participants are advised not to raise arguments in relation to the same..
- D. The parties have to formulate arguments on the following issues -
- i. Whether Competition Commission of Lalaland (CCL) has the jurisdiction to entertain matters falling under the Lalaland Patents Act (LPA)?
 - ii. Whether CCL can investigate the office bearers of Matrix and Black Mirror unless the CCL first returns a finding of contravention against Matrix and Black Mirror under the Lalaland Competition Act, 2012 (LCA)?
 - iii. Whether the relevant market for Black Mirror and Matrix's business in India is 'market for provision of Solar Boost Technology in Lalaland or 'market for provision of self-charging technologies in Lalaland?
 - iv. Whether Matrix is dominant in the relevant market?
 - v. Whether Matrix and Black Mirror's actions of charging excessive and unfair royalty from Pineapple and Sungsam and charging lower royalty fees from Minimax are in violation of Section 4(2)(a) of the LCA?
 - vi. Whether Clause 7.5 of the SLA is in contravention of Sections 4(2)(a)(i), 4(2)(b)(i), 4(2)(b)(ii), 4(2)(c), 3(4)(b) and 3(4)(d) of the LCA?

- vii. Whether Matrix's refusal to grant sub-license to Vovi and NI is in violation of Sections 3(4)(d) of the LCA?
- viii. Whether the transaction between Minimax and Black Mirror was a notifiable transaction under Section 5 of the LCA (Proposed Transaction)?

Annexure I – Bona fide certificate

Bona Fide Student Certificate

(To be issued by the head of the Institution)

This is to certify that Mr./Ms./Mx. _____, child of
Mr./Mrs./Mx. _____ is a bona fide student of the following
college/university:

Name of the Institute: _____

Address of the Institute: _____

Contact number: _____

Email: _____

The certificate is issued for claiming that the student is studying in my Institute. I/we
certify that the above information is true to the best of my/our knowledge.

Signature and Seal of the Head of the Institution

Date: _____

Annexure II – Payments

1. A registration fee of ₹5,000 needs to be paid by every team which wishes to participate in the Competition. The fee can either be paid via a Demand Draft or on the online portal.
2. In case a team chooses to opt for paying through a Demand Draft, the same should be addressed to 'The Registrar, National Law University Delhi'.
3. The teams which choose to pay via the online portal should follow [this link](#) to the portal.
4. While registering for the competition, the teams will be required to attach a copy of the Demand Draft or a receipt from the online portal.

Step by Step Guide Through the Payment Page

Step 1 – After opening the link for the payments page, the following page will appear. Select the 'Event' option from the drop-down list.

The screenshot displays the 'E-Registration Form' for the National Law University, Delhi. The form includes a header with the university's logo and name. Below the header, there is a note about browser compatibility and a 'Registration Details' section. A dropdown menu is open, showing the 'Event' option selected. A red arrow points to the 'Event' option in the dropdown list.

Step 2 – After that, a list would be displayed. Find 'CCI NLUD Competition Law Moot 2020' and click on the checkbox beside it.

From the drop-down list titled 'No. of Participants', Choose '1'

<input checked="" type="checkbox"/>	CCI-NLUD Competition Law Moot 2020	Registration Fee for Team	Application	5000	19/11/2019 09:00
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*No.of Participants	1		*Notification Mobile number	91
*Notification Email Id			*Organization/Institute	

Step 3 – Fill in all the details that are required in the form.

In the entry titled 'Date of Arrival' enter the date as March 13, 2020. In the entry titled 'Time of Arrival', the teams are free to choose any time they wish.

(*The details in these entries will not be binding on the Competition Administrator and will be subject to the teams qualifying through the memorial selection.)

Annexure III – Timeline of Events

Date	Event
November 18, 2019	Release of Moot Problem & Opening of Registration
December 2, 2019	Last date for seeking clarifications
December 28, 2019	Last date for Registration
January 5, 2020	Submission of Memorials
February 26, 2020	Declaration of Results of Memorial - Qualifications
March 4, 2020	Hardcopy submission of Memorials
March 13, 2020	Registration
March 14-15, 2020	Oral Rounds



Facebook – facebook.com/ccinludmoot

Email – ccinludmoot@nludelhi.ac.in