

SYLLABUS

INNOVATION, MARKETING STRATEGY, AND ANTITRUST

(LGST 205, LGST 805, MKTG 260, MKTG
760)

THE WHARTON SCHOOL, UNIVERSITY OF
PENNSYLVANIA

SPRING SEMESTER 2020

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This course considers the role of antitrust law in both facilitating and policing the business strategies of dominant firms and joint enterprises. We will examine technology-driven firms such as Apple, Facebook, Google, Uber, and Microsoft, as well as disrupted industries such as the digital music industry. In each case, we will consider how firms adapted their strategies to rapidly changing technological environments and ask whether antitrust law served to promote or to hinder innovation. Course coverage will range over all portions of the business economy in which competition and innovation are important, but emphasizing markets that have a significant technological component. We will also study a series of classic business cases from earlier eras, including ones involving the American Can Company, Standard Oil, Alcoa, and Brown & Williamson Tobacco Co. Focusing mainly on American law and business, we will pay special attention to the role of intellectual property rights, especially patent law, in fostering both individual and collaborative innovation.

No prior study of or acquaintance with antitrust law is necessary. We will study judicial antitrust decisions as well as

historical and economic sources. Readings will consist of a one volume text and other sources that will be posted periodically to Canvas.

Your obligations for the course will consist of 1) regular attendance and class participation (15%); 2) a midterm examination (35%); and 3) a final examination (50%).

You must come to class each day prepared to discuss the assigned readings and your instructor may call on you.

READINGS:

HERBERT HOVENKAMP, PRINCIPLES OF ANTITRUST (West Acad. Pub. 2017), ISBN: 978-1-68328-834-3

Topical readings to be downloaded from the Canvas site for this class

MONOPOLIZATION, OR COMPETITION POLICY AND DOMINANT FIRMS

Hovenkamp, Principles Chs. 1-3, 6-8.

TOPIC #1: THE SHERMAN ACT AND THE BUSINESS TRUST” -- AMERICAN CAN

TOPIC #2: ANTITRUST POLICY AND THE MONOPOLY PROBLEM

TOPIC #3 IDENTIFYING HARM TO COMPETITION – THE UBER CASE

TOPIC #4 MONOPOLY BY TECHNOLOGICAL DESIGN – BERKEY PHOTO

TOPIC #5 THE MONOPOLIST’S DUTY TO DEAL

[other topics to follow)