

The Overview, Development and Competition Law Enforcement in Domestic Digital Platform Industry

Abstract

Keyword(s): digital platforms, market definition, competition law

The development of information and communication technology has led to the emergence of digital platforms. The network effects may led to the concentration of digital platforms, and even with dominant positions in the market. To competition law authorities, it has become an important issue. This study examines the use of search engines, social networks, video platforms, and App stores by major users(including consumers, advertisers, content publishers, and App developers), as well as the major platforms' business models, development trends and competition status, while referring to international cases of major digital platforms involving competition issues and the countermeasures of competition law authorities, to evaluate the strategies, tools of regulatory and measures of competition law authorities. At the same time, the guidelines for " Principles of the Fair Trade Commission Regarding the Digital Platform Competition" has been proposed. This study suggests that the authorities should actively review the development of international cases and assess whether there is any concern about violating the competition law. To study and formulate the FTC's principles for digital platforms and to revise the existing principles accordingly. Also, it is expected to exam whether large-scale digital platforms are involved in potential competition-restricting issues, and continue to collect digital platform business models and operating data regularly as a reference for evaluation. Enhance international cooperation and coordination with the other countries, and continue to sort out the specific circumstances of competition restriction/unfair competition caused by consumer privacy are recommend. For large-scale digital platforms that use media information though have the risk of free riding, It is currently not possible to enforce payment under competition law. In the long run, the competent authority should still need to assess the feasibility of formulating corresponding principles for the improper use of personal data, and to develop specific evaluation tools for incorporating privacy/personal data protection into competition judgments. For large digital platforms, Pre-regulation, post-regulation or both mechanisms will be adopted need to be evaluated carefully, and the content of large-scale digital platforms can be considered as parts of the quality factor by procedure regulated.