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BALANCING REGULATORY CONVERGENCE: IPR AND COMPETITION LAW IN E-COMMERCE MARKETPLACE

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Abstract

In the present globalized world certain e-commerce platforms such as Amazon and Flipkart have emerged as the central players. As these platforms continue to grow, they eventually have acquired a substantial market power and have also managed to influence the digital marketplace, enabling themselves to become the gatekeepers of the digital marketplace. They continue to rely on the Intellectual Property Rights such as software copyrights, trade secrets and recommended algorithm. While these rights are of importance in innovation and incentivizing but using them strategically has resulted in dominant position practice on e-commerce platforms and has resulted into serious concerns over exclusionary practices and self-preferencing. This is currently affecting legal and policy conflicts between Intellectual Property Rights and Competition Law as on one end of the spectrum the Intellectual property Rights are of importance as often interpreted, they act as legal monopolies to the innovators and creators in order to grant their work limited access. While on the other end the Competition Law prohibits abuse of dominant position and practices that might harm the competitors in market as well as consumer welfare.

The focus of the present research is the dynamic interplay of the Intellectual Property Rights and Competition Law within the ever evolving digital and e-commerce marketplace. The research offers to analyze how the currently applicable traditional principles of the Intellectual Property Rights and the Competition Law are reshaped to adapt to the digital marketplace. The aim is to explore the current legal and regulatory framework and whether it adequately balances the protection of intellectual property rights while also preserving fair competition in e-commerce digital marketplace. The study further focuses to critically assess how competition law and intellectual property rights operate and if they may be successfully combined to guarantee fair competition in the market and safeguard market participants' intellectual property rights. Examining the legal underpinnings of the link between competition law and

intellectual property rights, as well as how these two distinct regimes accomplish the opposing goals of consumer welfare and market efficiency.

Keywords: Intellectual Property Rights, Competition Law, E-Commerce, Digital Marketplace, Dominant Position, Unfair Practices.

Introduction

E-commerce or electronic commerce is the process of buying and selling of goods and services through electronic or digital channels via internet. E-commerce as is understood today was originally introduced in the early 1960s through the medium of EDI – Electronic Data Interchange. E-Commerce according to the definition provided by Amazon itself is the practice of buying and selling goods and services using internet sources. The Information and Technology Act, 2000 provides for a legal framework for e-commerce in India and also provides recognition to it. The IT Act, 2000 was enacted in the backdrop of UNCITRAL (United Nations Commission on International Trade Law) in the year of 1996 to bring uniformity across countries regarding cyber regulations at a global level.

It grew in the 2000s due to the expanding accessibility of internet services throughout the globe. Earlier with the rise of social media platforms such as Facebook and presently due to the largest online retail platform Amazon e-commerce business has reached an unprecedented high. This ever-changing market opens up a number of opportunities for businesses across the world with the projected worldwide e-commerce sales surpassing \$6.8 trillion in 2025¹. There are certain types of e-commerce businesses which are prevalent across the globe and they are namely:

- Business to Business (B2B) – It refers to the electronic transactions of goods and services which is conducted between two companies who are generally producers and sellers with a website acting as catalyst between them.
- Business to Consumer (B2C) – The e-commerce websites under this system serve as a platform for the sale of goods to the consumers directly, such as Amazon, Flipkart and Myntra.
- Consumer to Consumer (C2C) – Generally under this model an online platform is used to help in consumer-to-consumer transactions such as OLX and eBay.
- Consumer to Business (C2B) – When the goods and services are provided by the

¹ Competition Commission of India v. Amazon & Flipkart, Transfer Petition (Civil) 2025.

consumer in exchange of money such as consumer or any influencer providing review of the product for monetary benefits.

- Business to Administration (B2A) – This category refers to the products and services which are offered by the companies to the public administration such as a small company providing IT support to a public administrative body.
- Consumer to Administration (C2A) – This includes all the transactions where electronic payment is made towards public administration.

E-commerce is witnessing an explosive growth in the last decade as it is driven by certain factors such as increase in mobile usage and internet penetration even at the rural areas. It can be observed that India is one of the fastest growing digital market places which is expected to generate business of \$200 billion. This massive shift has been accelerated by the pandemic as people became more and more comfortable with digital platforms which resulted in the increase of online shopping. The digital marketplace is majorly dominated by Amazon India and Flipkart². These e-commerce platforms have reshaped the global business landscape and have also brought in various corporate governance challenges with it³.

The rationale for the present study, deals with the urgent need to harmonize the evolving relationship of the Intellectual Property Rights and Competition Law. Traditional legal methods are no longer sufficient to handle new types of market concentration and exclusion due to the speed at which technology is developing. Scholars and politicians are increasingly in agreement that in order to guarantee innovation without exclusion and competition without unfair exploitation, both IPR and competition law must change. This calls for the creation of legislative frameworks that support interoperability and fairness as well as a rigorous reexamination of principles like mandatory licensing, refusal to trade, critical facilities, and data access rights. Furthermore, the rationale also extends to dealing with Indian regulatory gap which regulate the digital competitive marketplace. India has to create a logical framework that combines the market-regulating function of competition law with the innovation-promoting function of intellectual property rights as it moves toward a data-rich digital economy. A balanced strategy that is appropriate for India's socioeconomic and technological realities can be developed.

² In Re Delhi Vyapar Mahasangh v. Amazon & Flipkart CCI Order No. 40 (Jan. 13, 2020).

³ Amazon Sellers Services Pvt. Ltd. v. Competition Commission of India, Case No. 40/2019.

Research Objectives

The primary objective of this research is –

- To critically examine the working of Intellectual Property Rights and Competition Law and whether they can be effectively harmonized to ensure fair competition in market while also protecting the intellectual property rights of the market players.
- To assess whether excessive enforcement of Intellectual Property Rights result in anti-competitive practices on e-commerce platforms.
- To analyze the legal foundation of the relationship between the Intellectual Property Rights and Competition Law and how both different regimes pursue on conflicting objectives of market efficiency and consumer welfare.
- To identify the judicial precedents where assertion Intellectual Property Rights has led to anti-competitive practices and abuse of dominant position.

Research Methodology

In order to investigate the relationship between Intellectual Property Rights (IPR) and Competition Law in the context of data-driven and platform-oriented e-commerce industries, this dissertation uses a qualitative and doctrinal legal research methodology backed by analytical methodologies. The study mostly uses library-based research, which includes evaluating academic papers, Indian legislations, statutes, case law, and policy documents. The research's doctrinal component comprises a thorough analysis of primary legal sources, such as India's Competition Act of 2002 and Patents Act of 1970. The primary sources used in this study are legislations, treaties, and court rulings; secondary sources include academic publications, books, policy papers, and official reports from reliable databases. The purpose of the research is how well the current frameworks for intellectual property rights and competition law handle issues in the digital marketplace.

Review of Literature

The Competition Act, 2002 enforced through the authority of the Competition Commission of India in the year 2003 represents a shift in the approach that India is using in order to regulate the digital marketplace. The Act was basically enacted to regulate a fair competition in the market while also protecting the interest of the customers. This act demonstrates the transition of the Indian economy towards a more innovative and competitive one. The Book Competition Law in India: Policy, Issues and Developments is a foundational work in the field of Indian

competition law. This book is a valuable source of information for students, practitioners, and lawmakers, who will find that the book analyzes in detail the objectives, institutions, and judicial precedents on the Competition Act of 2002. Ramappa analyzes comprehensively the provisions of the act, the implementation thereof, and contextualizes it in terms of India's economic liberalization and globalization. The approach to the analysis, which is multidimensional, makes the study serve both as economic policy criticism and legal comment. The Competition Commission of India initiated a market study in April 2019 to understand the functions of e-commerce in India and its effects on competition in the marketplace. The report identified the growth of e-commerce marketplace, competition and antitrust issues along with the unfair platform-to-business contract terms. This study has played a key role as it helped the researcher to analyze the workings of e-commerce marketplace in India and the existing gaps that are needed to be bridged. CCI's Market Study on E-Commerce in India (2020) is the foundational basis in the Indian competition law landscape. According to the Parliament Standing Committee on Commerce, 172nd Report, there is a need for an overall policy for National E-commerce Policy, along with the formation of a digital market division at the Competition Commission of India. The above source of information provided the researcher with some critical inputs about consumer protection and the enforcement mechanism.

The Vidhi Centre for Legal Policy's 2024 policy research on digital competition legislation emphasizes the necessity of ex ante regulation of digital platforms. According to their Fair and Competitive Digital Markets research, market power in data-rich e-commerce ecosystems cannot be adequately addressed by current frameworks. The MoSPI resource helped the researcher in identifying different definitions of e-commerce both in Indian as well as international context. Further, The Consumer Protection (E-Commerce) Rules, 2020 created a structure to safeguard customers during online transactions by mandating e-commerce companies to guarantee fairness, accuracy, and transparency. Additionally, these regulations hold marketplaces responsible for vendors' failure to deliver products and services and prohibit unfair activities like mis-selling.

The CCI's emphasis on traditional dominance in its e-commerce market analysis is sharply criticized legally in the article. They make a strong case that supremacy under Section 4 might be extremely challenging to demonstrate in India's fast-paced, technologically advanced e-commerce business. Both doctrinal rigor and innovative policy are evident in their proposal to acknowledge collective domination. However, there are normative and practical issues with

their idea, such as demonstrating collective dominance and modifying EU rules for India. The working paper is a significant contribution on how digital market is to be regulated in India.

Emergence of E-Commerce Marketplace

The rise of platform-based business models is one of the key features of contemporary e-commerce. Digital platforms function as middlemen that promote communication between producers and consumers, in contrast to traditional businesses that manufacture products and distribute them via linear supply chains. The platform-based commerce requires a grasp of two-sided or multi-sided markets. In these markets, a platform offers a technology framework that facilitates communication between two or more user groups who rely on one another to generate value. An e-commerce marketplace, for instance, links buyers who want to buy things with sellers who offer them⁴. Because platforms may grow quickly after reaching a critical mass of users, this concept has proven especially successful in digital markets. The success of businesses like Amazon, Alibaba, and eBay shows how platform-based commerce can grow into international ecosystems that handle billions of transactions every year.

The interplay between the Intellectual Property Rights and Competition Law is a complex and ever evolving area for legal analysis. The legislations regulating Intellectual Property Rights in India incentivize the innovators and creators in order to invest in its developments, whereas the Competition Law aims to regulate the competition in the marketplace, prevent any form of anti-competitive practices and protects the interests of the consumers. However, it is a fact that conflicts can arise when the two areas of law conflict with each other, as the Intellectual Rights may sometimes be used in a way that could restrict the competition. The possibility of IP rights being abused to produce anti-competitive activity is one of the primary points of contention between competition laws and IP rights. For instance, a dominating firm with strong intellectual property rights, might use anti-competitive tactics, including discriminatory licensing or refusing to grant its IP to rivals, which can hurt customers and impede competition. Competition regulators may step in these situations to stop IP rights abuse and guarantee that market competition is maintained.

Where IP-protected tools such as patents, algorithms, datasets, and trade secrets are utilized by dominant firms to sustain their market share, exclude rivals, or engage in self-preferencing in

⁴Saksham Malik & Bhoomika Agarwal, *Digital Markets and Gaps in the Indian Competition Regime* (The Dialogue Working Paper, May 22, 2023).

order to ensure competitive advantage, the interplay between the different regimes becomes more complex. Although these approaches are often safeguarded under IPR regimes, the use of these measures could lead to potential problems regarding competition laws due to their impact on market structures and inclusive innovation.

Role of Data & Algorithm in E-Commerce

One of the notable attributes of today's online business platforms is their reliance on algorithms in decision-making. Data such as consumer behaviors, purchase patterns, searches, and histories are collected through online business platforms. The data is analyzed using sophisticated algorithms to improve the experience of the users and optimize organizational operations.

Recommendations, ranking of products, advertisements, and dynamic pricing are all reliant on algorithms. Amazon and Netflix, for example, use algorithms in recommending items that consumers are likely to purchase. These developments make life easier, but they are also associated with problems such as algorithmic bias, market manipulation, and discriminatory pricing.

Interplay of IPR and Competition Law

The evolution of the digital economy in the current data driven and platform oriented digital marketplace globally has led to significant transformation in the competitive landscape as well. In this new e-commerce-oriented marketplace, data privacy, algorithms and platform access have resulted in emergence of digital assets which has eclipsed the importance of intellectual property. In this context the Intellectual Property Rights and Competition Law in India act as two most important but conflicting pillars. The Intellectual Property Rights are designed to incentivize the innovation in form of copyright, goodwill and patents, while the Competition Law prevents the anti-competitive practices, abuse of dominant position and ensuring fairness in the marketplace.

Early in the 1960s, electronic data interchange, or EDI, was used to develop e-commerce as we know it today. Amazon defines e-commerce as the process of purchasing and selling products and services through online channels. In India, e-commerce is recognized and given a legal framework by the Information and Technology Act, 2000. In the context of UNCITRAL (United Nations Commission on International Trade Law) in 1996, the IT Act, 2000 was passed

in order to standardize cyber legislation worldwide⁵.

In the recent years the global economy has witnessed a major boom of e-commerce ecosystems which is driven by technological innovations. The massive e-commerce players such as Amazon and Flipkart dominate the digital marketplace by not just offering services but also controlling algorithmic systems and control over data of the consumers which results into anti-competitive practices.⁶ Data ownership which is protected as a trade secret of intellectual property right have now become a point of competitive advantage. In India, the existing tension between Intellectual Property Rights and Competition Law is a pressing concern. In the landmark case of Telefonaktiebolaget LM Ericsson v. Intex Technologies (India) Ltd.⁷ and Micromax Informatics Ltd. v. Ericsson⁸ an issue surrounding the FRAND i.e. Fair, Reasonable and Non-Discriminatory licensing were raised. The lack of a uniform policy framework or clear jurisprudential guidance has made it difficult for the Competition Commission of India (CCI) and the Intellectual Property Office of India to handle these intricate overlaps. While indicating a regulatory understanding of these difficulties, the proposed Digital Competition Bill (2024) also emphasizes the necessity of more methodical scholarly research to guide policy⁹.

The intersection between Intellectual Property Rights and Competition Law is a correct representation of one of the most complex as well as evolving areas of the modern economic jurisprudence. While it is true that both the legal regimes are designed in a way to promote the economic efficiency and consumer welfare, however it is observed at times that they operate in tension with each other. On one hand the Intellectual Property Rights grant exclusive rights to the innovators and encourage the investment in research & development, whereas on the other hand Competition Law seeks to prevent the distortion of market and ensures that market remains fair and competitive¹⁰.

In India, the jurisprudence on the Competition Law has mainly revolved around the conduct of digital platforms in regards to the issue of abuse of dominant position, preferential treatment,

⁵ *Id.*

⁶ Flipkart Internet Pvt. Ltd. v. Competition Commission of India, W.P. No. 3362/2020.

⁷ Telefonaktiebolaget LM Ericsson v. Intex Technologies (India) Ltd., (2016) 226 DLT 342.

⁸ Micromax Informatics Ltd. v. Ericsson, (2015) 216 DLT 663.

⁹ Competition Commission of India, Market Study on E-Commerce in India: Key Findings & Observations (Jan.8, 2020), <https://www.cci.gov.in/images/marketstudie/en/market-study-on-e-commerce-in-india-key-findings-and-observations1653547672.pdf>.

¹⁰ *Id.*

and predatory pricing. It is the Competition Commission of India that played a critical role in resolving the aforementioned concerns. One of the most important cases in regard to this is *Matrimony.com Ltd. v. Google LLC*, where it was determined by the commission that Google abused its dominant position in the internet search market because of giving preference to its services. The court imposed the fine and instructed Google to review the processes and operations. This case is important since it sets a precedent that no internet platform can abuse their power to harm competition. Another notable event was the investigation of the activities of Amazon and Flipkart which led to an important conclusion in relation to the matter. In fact, Amazon and Flipkart were under investigation for the allegations regarding extreme discounts, exclusivity deals, and special treatment. After the probe of those companies' activity, the Supreme Court decided not to stop the process following the High Court of Karnataka which upheld the competence of the commission in investigating the case.

The inherent tension becomes more pronounced with reference to the e-commerce marketplace, which can be characterized by the data-driven business models, increasing technological innovations along with emergence of powerful digital platforms. E-commerce platforms operate as the intermediaries that connect the multiple-stakeholders such as sellers, consumers and the service providers. These platforms tend to rely heavily on the Intellectual Property Right and the assets produced as a result of accessibility of these rights, algorithms and data analytics tools that help gain competitive advantage, at the same time the growing dominance raises concerns such as anti-competitive practices in market. The legal framework in India addresses the issues through a combination of both laws relating to intellectual property rights as well as competition. The Competition Act of 2002 prohibits anti-competitive agreements and abuse of dominant position whereas the Patents Act, 1970, Trade Marks Act, 1999 and Copyrights Act, 1957 provide exclusive rights to creators and the innovators. However, it can be observed that the interplay of these legal regimes is not always in a seamless manner which leads to regulatory and enforcement challenges¹¹.

The example of SEPs demonstrates the problem under discussion. SEPs refer to patents that are required to be issued under FRAND terms to ensure compliance with industry standards. However, the SEP owners might commit acts against public interest and distort the competition, for instance, through discrimination in licensing or requesting exorbitant royalties.

¹¹ Srivastav, Ashish Kumar, *Reach of Intellectual Property Rights in Digital Commerce: An Indian Perspective* (Feb. 18, 2022), <https://ssrn.com/abstract=4037926>.

The Competition Commission of India considered the charges that Ericsson fixed an excessively high price for its SEPs and concluded non-disclosure agreements that prevented the licensees from making royalty price comparisons in Micromax Informatics Ltd. v. Telefonaktiebolaget LM Ericsson. The Commission stated that such conduct may violate the principles of competition law and constitute the abuse of dominant position.

There is international recognition of the dispute between IPR and competition law. According to the TRIPS Agreement, members have the right to implement measures to prevent intellectual property rights from being misused to restrict competition. It is the recognition of the fact that IPR should be reconciled with the necessity to maintain competition, although it plays an important role in promoting innovation. The misuse of intellectual property rights (IPR) on e-commerce sites may lead to the foreclosure of the market and hinder competitors' entry into it. This could lead to decreased levels of innovation, higher pricing, and fewer options for consumers to choose from. However, by weakening the incentives offered by IPR, stringent competition law enforcement may deter innovation.

Conclusion & Recommendations

The market dynamics of the global and domestic market have undergone tremendous transformation because of the rise of the e-commerce marketplaces, which have resulted in radical transformations in the production, distribution, and consumption of products and services. With these changes, the emergence of powerful digital platforms acting as competitors, regulators, and intermediaries in the platform ecosystem has come about. Such platforms have raised a number of concerns about anti-competitive conduct by virtue of market dominance through data analytics, algorithmic governance, and IPR. The issues related to whether aggressive enforcement of IPR results in anticompetitive conduct in the online market, and how to balance the interests of IPR protection and competition law enforcement, have constituted the primary focus areas for this dissertation.

An elaborate approach for regulating the issue at hand in e-commerce marketplaces should be adopted because it involves two important branches of law – IPR and competition law. Market access and market exclusivity are competing priorities when attempting to reconcile IPR with competition law. Intellectual property right owners are bestowed with exclusive rights; however, such rights should be exercised in a way that does not overly hamper competition. Proportionality-based approach is a means that could be helpful. Such a procedure would

examine the necessity, proportionality, and impact on competition of IPR enforcement. The courts and regulators have to establish if there is an abuse of dominance through IPRs or if the enforcement is justified by some legitimate reasons.

While IP rights are absolutely essential for driving innovation, too stringent enforcement of such rights may lead to competitive conduct. In particular, the enforcement of IP rights is highly likely to produce anti-competitive consequences within dominant digital platforms. Only through a comprehensive and coordinated approach that considers legal, economic, and technical perspectives, it is possible to make a reasonable compromise between the two interests. The capability of the lawmakers and the judiciary to adapt to the nature of the emerging digital markets and find new solutions to promote innovation and competition will be crucial here.

Bibliography

- Competition Commission of India, Market Study on E-Commerce in India: Key Findings & Observations (Jan.8, 2020), <https://www.cci.gov.in/images/marketstudie/en/market-study-on-e-commerce-in-india-key-findings-and-observations1653547672.pdf>.
- Department-Related Parliamentary Standing Committee on Commerce, One Hundred and Seventy-Second Report, Promotion and Regulation of E-Commerce in India, Rajya Sabha, Parliament of India (July 2022).
- Ministry of Statistics & Programme Implementation (MoSPI), 10.12 E-Commerce Government of India, (Nov.14, 2025), <https://mospi.gov.in/1012-e-commerce>.
- Robert D. Atkinson & David B. Audretsch, *Monopoly Myths: Do Internet Platforms Threaten Competition?* (Info. Tech. & Innovation Found. 2020).
- **Saksham Malik & Bhoomika Agarwal**, *Digital Markets and Gaps in the Indian Competition Regime* (The Dialogue Working Paper, May 22, 2023).
- The Competition Act, No. 12 of 2003, India Code (2003).
- The Consumer Protection (E-Commerce) Rules, 2020, G.S.R. 462€ (India).c
- Tolstoy, Daniel, Emilia Rovira Nordman, Sara Melén & Nurgül Özbek, The Development of International E-Commerce in Retail SMEs: An Effectuation Perspective, 56 J. World Bus. 101165 (2020).

- T. Ramappa, *Competition Law in India: Policy, Issues and Developments* (5th ed. Oxford Univ. Press 2020).
- Srivastav, Ashish Kumar, *Reach of Intellectual Property Rights in Digital Commerce: An Indian Perspective* (Feb. 18, 2022), <https://ssrn.com/abstract=4037926>.
- Vidhi Centre for Legal Policy, *Fair & Competitive Digital Markets for India: Report of the Committee on Digital Competition Law & Draft Digital Competition Bill* (Mar. 12, 2024), <https://vidhilegalpolicy.in/research/regulating-indias-digital-markets/>.

Cases Referred

- Amazon Sellers Services Pvt. Ltd. v. Competition Commission of India, Case No. 40/2019.
- Competition Commission of India v. Amazon & Flipkart, Transfer Petition (Civil) 2025.
- Flipkart Internet Pvt. Ltd. v. Competition Commission of India, W.P. No. 3362/2020.
- In Re Delhi Vyapar Mahasangh v. Amazon & Flipkart CCI Order No. 40 (Jan. 13, 2020).
- Micromax Informatics Ltd. v. Ericsson, (2015) 216 DLT 663.
- Telefonaktiebolaget LM Ericsson v. Intex Technologies (India) Ltd., (2016) 226 DLT 342.

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