
AN ANALYSIS OF THE CHALLENGES POSED BY DIGITAL MARKET PLATFORMS TO TRADITIONAL COMPETITION LAW FRAMEWORKS

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ABSTRACT

The emergence of digital market platforms has fundamentally altered the landscape of competition law, exposing the inadequacies of frameworks designed for traditional markets. Unlike conventional business models, digital platforms thrive on network effects, data-driven strategies, and multi-sided interactions that complicate the assessment of market power and consumer harm. Traditional tools, such as the Small but Significant and Non-Transitory Increase in Price (SSNIP) test, are often ineffective in markets where services are offered for free, but monetized through user data.

This has forced regulators and courts to reconsider long-established doctrines and adapt statutory provisions to account for new forms of dominance and exclusionary conduct. Landmark cases across jurisdictions—including *United States v. Microsoft*, the European Commission's *Google Shopping* and *Android* decisions, and the Competition Commission of India's rulings against Google and Amazon—illustrate how authorities are reinterpreting antitrust principles in the digital age. While the United States has relied heavily on litigation, the European Union has adopted proactive ex-ante regulation through the Digital Markets Act, and India is evolving through amendments and case-specific enforcement. The comparative experience highlights the urgent need for dynamic, context-sensitive legal frameworks that balance innovation with fair competition. The purpose of undertaking this inquiry is to critically evaluate whether existing competition law frameworks can effectively respond to the challenges posed by digital platforms.

Keywords: Digital Platforms, Competition Law, Market Dominance, Network Effects, Regulatory Frameworks.

1) Introduction to Digital Platforms

The emergence of digital marketplaces such as Amazon, Google, Meta, Uber, Flipkart, and Zomato has radically transformed the functioning of the modern economy. These platforms, located at the crossroads of technology and business, act as intermediaries between consumers, service providers, and enterprises. Unlike conventional brick-and-mortar businesses, they rely heavily on data, network effects, and algorithmic management to generate new forms of market power¹. Their influence extends far beyond reshaping consumer behavior; they have also unsettled long-accepted principles of competition law. Rules originally designed to regulate monopolistic practices, cartels, and abuse of dominance in physical goods markets now appear inadequate when confronted with the structural peculiarities and transnational scope of digital platforms. This mismatch calls for a critical re-evaluation of how competition policy should function in the digital age.

Competition law, historically known as antitrust law, was first developed to curb industrial monopolies. The Sherman Antitrust Act of 1890 in the United States aimed at dismantling monopolistic giants like Standard Oil and curbing cartel-like arrangements. Europe later institutionalized its own version, with the Treaty of Rome (1957) laying the groundwork for the European Union's competition policy. For decades, the framework focused on protecting consumer welfare by preventing price-fixing, predatory pricing, and collusion in traditional industries. The underlying assumption was that market power could be assessed through metrics like pricing strategies, market shares, and barriers to entry—tools well-suited for industrial and physical goods markets.

The late twentieth and early twenty-first centuries brought an internet-driven revolution, disrupting this industrial paradigm. Early digital platforms were relatively simple—online forums, e-commerce sites, or social networking spaces². Over time, they evolved into complex multi-sided ecosystems integrating services ranging from retail and logistics to payment systems, ride-hailing, cloud storage, and digital advertising. Their defining strength lies in network effects: the more participants a platform attracts, the more valuable it becomes for

¹ Maurice E. Stucke & Ariel Ezrachi, "Digitalisation and Its Impact on Innovation, Competition and Consumers"

² OECD Journal of Competition Law and Policy 25, 29–33 (2016), available at <https://www.oecd.org/competition/digitalisation-impact-on-competition.htm>.

² U.-Y. Hacoen, "User-Generated Data Network Effects and Market Power in Platform Economies," *Fordham Intellectual Property, Media & Entertainment Law Journal* (2023), available at <https://ir.lawnet.fordham.edu/cgi/viewcontent.cgi?article=1836&context=iplj>

everyone involved. Social media platforms like Facebook thrive on increasing user participation, while e-commerce platforms like Amazon strengthen bargaining power and efficiency as more buyers and sellers join.

These self-reinforcing loops allow a few firms to dominate global markets with unprecedented speed. Traditional competition law, which presumes that dominance is reflected in pricing strategies or exclusionary conduct, struggles to grapple with such dynamics. In digital ecosystems, power is not necessarily expressed through high prices but through control over data, algorithms, and user attention. The divergence between old legal assumptions and new digital realities has placed regulators in the difficult position of redesigning frameworks that can account for the fact that “free” services often conceal significant anti-competitive harms.

The most profound shift is the centrality of data as an economic resource. Business models of major digital firms are built on collecting, aggregating, and analyzing user data. This data strengthens algorithms, enables personalized services, and supports targeted advertising, creating a competitive moat that smaller players cannot easily replicate. Conventional antitrust analysis rarely accounted for information asymmetries or data monopolies, leaving regulators poorly equipped to address entry barriers that are less visible than traditional price-based monopolistic behavior but equally damaging. Further complicating matters are practices such as self-preferencing, algorithmic collusion, and predatory pricing. For instance, Amazon is often accused of prioritizing its private-label products over third-party sellers, while Google’s search algorithms have been criticized for favoring its own services. Traditional law offers only limited tools to address such behavior because it was designed around physical market structures. Algorithmic pricing adds yet another layer of complexity: machine-learning tools may tacitly coordinate prices without explicit agreements, escaping the evidentiary thresholds of classic cartel enforcement. Similarly, digital platforms can sustain long periods of predatory pricing by cross-subsidizing services, a strategy difficult to prove under conventional antitrust norms.

The global and borderless nature of digital platforms also challenges the domestic scope of traditional competition frameworks. While the European Union has responded with proactive instruments like the Digital Markets Act (DMA), the United States is revisiting its antitrust principles through lawsuits and proposed reforms. India, meanwhile, is rethinking its Competition Act to address data dominance and platform neutrality. These varied responses

underline that no single jurisdiction can effectively regulate digital markets in isolation—coordinated and comparative approaches are required. Another difficulty lies in assessing consumer welfare. Historically, antitrust analysis equated consumer harm with rising prices. But in digital markets, where services are often free, harm manifests in less tangible forms such as loss of privacy, reduced consumer choice, innovation suppression, and lock-in effects. Over-concentration of platform power can also discourage entrepreneurship, entrap users within high-switching-cost ecosystems, and consolidate control of critical digital infrastructure in a handful of corporations³. These realities demand that competition law move beyond its narrow price-centric lens toward a broader model that incorporates non-price harms.

Given this evolving landscape, the present research employs a doctrinal and comparative legal methodology. The scholarly commentaries provide the foundation for analyzing how traditional competition frameworks confront digital markets. The inquiry begins by mapping the unique features of platform business models, before examining where established legal doctrines fall short in addressing data-driven dominance and novel anti-competitive practices.

Rather than isolating these questions, the study weaves them into a broader narrative that traces the story of competition law's adaptation to the digital era. It follows how regulators wrestle with defining relevant markets in multi-sided ecosystems, how merger control struggles to capture “killer acquisitions” of low-revenue start-ups, and how global jurisdictions experiment with distinct regulatory models. By situating these developments in a comparative framework, the research seeks not merely to critique the limitations of current approaches but to illuminate pathways for reform, ensuring that competition law evolves alongside the technological and economic realities of digital platforms.

2) Characteristics and Business Models of Digital Platforms

- **The Entrenchment of Network Advantages**

Network effects amplify the market position of platforms by increasing their value as more users join. Social networks like Facebook gain appeal with a larger user base, while e-commerce platforms such as Flipkart become stronger as more sellers and buyers engage⁴.

³ Kori Lam, *Privacy Harms, Digital Market Monopolies, and Antitrust Law* (2024), *Hastings Law Journal*, available at https://repository.uclawsf.edu/cgi/viewcontent.cgi?article=4100&context=hastings_law_journal.

⁴ Antonio Robles Martín-Laborda, *Merger Control and Online Platforms: The Relevance of Network Effects*, *Market & Competition Law Review* (2022), available at

These effects serve as structural barriers to entry, preventing new firms from competing effectively even with better services or pricing. The European Commission's landmark *Microsoft* (2004) decision underscored how network effects can cement dominance by locking in users and developers to a single ecosystem. Similar concerns were raised in India regarding Ola and Uber, where complaints noted that their entrenched user base, supported by network advantages, limited opportunities for new entrants. Such cases demonstrate that network effects not only sustain dominance but also challenge regulators in ensuring contestability.

- **Data as a Source of Market Power**

The centrality of data to platform business models has created a new dimension of competitive advantage. Firms like Google and Amazon collect vast amounts of personal and behavioural data, allowing them to refine services, predict preferences, and leverage insights that competitors cannot replicate⁵. Data-driven power was notably discussed in the *Facebook/WhatsApp* merger (2014), where the European Commission considered the integration of datasets as potentially reinforcing dominance in online advertising. In India, the CCI has initiated probes into WhatsApp's use of consumer data, questioning whether such practices amount to abuse of dominance under Section 4 of the Competition Act, 2002. These developments highlight that data is not merely a by-product of digital activity but a competitive asset central to market power.

- **Algorithmic Decision-Making and Antitrust Risks**

Algorithms form the operational backbone of digital platforms, determining product visibility, search rankings, pricing, and personalized recommendations. While these systems enhance efficiency, they also introduce risks of anti-competitive behaviour. In *Google Shopping* (2017), the European Commission found Google guilty of self-preferencing by privileging its own shopping service in search results⁶. Similarly, algorithmic pricing tools in e-commerce raise concerns of tacit collusion, even without explicit agreements among competitors. Indian law, under Section 3 of the Competition Act, 2002, addresses anti-competitive agreements, but

<https://revistas.ucp.pt/index.php/mclawreview/article/view/350>.

⁵ *Is Big Data a Big Deal? A Competition Law Approach to Data*, G. Sivinski, 2017, Taylor & Francis, available at <https://www.tandfonline.com/doi/full/10.1080/17441056.2017.1362866>.

⁶ European Commission, *Antitrust: Commission fines Google €2.42 billion for abusing dominance as search engine by giving illegal advantage to own comparison-shopping service* (Press Release, 27 June 2017), available at: https://ec.europa.eu/commission/presscorner/detail/en/IP_17_1784.

algorithm-driven collusion challenges evidentiary thresholds because human intent is absent. Regulators worldwide are thus rethinking the scope of liability in cases where algorithms, rather than human actors, facilitate anti-competitive outcomes.

- **The Role of Rapid Scalability and Predatory Pricing**

The feature of digital platforms is their capacity for rapid scalability at minimal marginal costs. Once infrastructure is developed, adding users involves negligible expenses, enabling platforms like Amazon and Netflix to expand swiftly. This scalability raises questions about predatory pricing practices⁷. In *CCI v. Uber India Systems Pvt. Ltd.* (2015), allegations were made that Uber operated below cost to eliminate competitors. Although the case was dismissed, the CCI acknowledged that predatory pricing could, in principle, constitute abuse under Section 4(2)(a) of the Competition Act. However, proving predatory intent and recoupment in digital markets is difficult, given the prevalence of cross-subsidization. This makes scalability both a driver of innovation and a potential enabler of exclusionary practices.

- **Lock-In Mechanisms and Consumer Switching Barriers**

Digital platforms employ strategies that increase consumer dependence on their ecosystems, creating significant switching costs. Apple's iOS ecosystem integrates hardware, software, and services in a way that discourages consumers from migrating to competitors. Similarly, Amazon Prime offers bundled services—ranging from shopping benefits to video and music streaming—that lock users into the platform. The *Apple App Store* case (2020) before the European Commission raised concerns about high commissions and restrictive distribution practices, which limited developer and consumer choice. Such lock-in strategies are now scrutinized under the doctrine of abuse of dominance, as they restrict consumer freedom and reduce competitive pressure.

3) Market in Multi-Sided Platforms

The relevant market forms the cornerstone of competition law, as it sets the framework for assessing dominance and anti-competitive behavior. Under Section 2(r) of the Competition Act, 2002, this involves examining substitutability both in product and geographic dimensions.

⁷ OECD, *Scale, Market Power and Competition in a Digital World: Is Bigger Better?* (Michael McMahon et al., 2021), OECD Science, Technology and Industry Working Papers No. 2021/01, OECD Publishing, Paris, <https://doi.org/10.1787/c1cff861-en>.

Digital platforms, however, challenge this traditional approach because they operate in multi-sided markets where interactions between distinct user groups create interdependencies. For example, Uber connects riders and drivers, and Facebook links users and advertisers, meaning that demand on one side directly affects the other. Conventional tools like the SSNIP test, which rely on price-based analysis, are often inadequate, leaving regulators to decide whether to treat each side as a separate market or the platform as an integrated whole. Jurisprudence across jurisdictions reflects this uncertainty⁸. The U.S. Supreme Court in *Ohio v. American Express* (2018) analyzed two-sided platforms holistically, while the European Commission in *Google Shopping* (2017) focused on side-specific markets. In India, the CCI in *Matrimony.com v. Google* (2018) recognized Google's multi-sided nature but narrowly defined the market as general online search services. Further complicating the analysis, platforms like Google, WhatsApp, and Facebook provide free services while monetizing data, and global platforms such as Netflix and Amazon challenge traditional geographic market concepts. Ecosystem dominance also amplifies this complexity; in the *Google Android case* (CCI, 2022), dominance in Android licensing extended to app distribution and search, showing that narrow market definitions often fail to capture broader anti-competitive effects.

4) Challenges in Defining Relevant Markets on Multi-Sided Platforms

The relevant markets in multi-sided platforms arises because these digital ecosystems operate in ways fundamentally different from traditional businesses, where competition law was originally designed to apply. Platforms such as Google, Amazon, Uber, and Facebook operate in multi-sided environments where user groups interact with each other through the platform, and demand on one side directly affects demand on the other, creating strong interdependencies. For instance, Uber's riders and drivers, or Facebook's users and advertisers, are linked in such a way that assessing competition on only one side does not capture the market dynamics as a whole⁹. Traditional market definition tools such as the SSNIP test, which measures hypothetical price increases to assess substitutability, often fail in digital markets because many platform services are offered for free. In such cases, regulators cannot rely on price effects alone and must consider non-price parameters such as data access, service quality, and consumer choice. This departure complicates the identification of relevant markets and the

⁸ *Digital Market and Zero-Pricing: Is SSNIP Test Applicable?* Anubhav Sharma & Chirag Jindal, IndiaCorpLaw (Oct. 2, 2019), available at <https://indiacorplaw.in/2019/10/02/digital-market-zero-pricing-ssnip-test-applicable/>

⁹ *Multisided Platforms: Classification and Analysis*, Systems 9(4):85 (2021), MDPI, available at <https://doi.org/10.3390/systems9040085>.

assessment of dominance. Jurisprudence reflects these difficulties, as seen in *Ohio v. American Express (2018)*, where the U.S. Supreme Court analyzed the platform holistically due to interdependent transactions, while the European Commission in *Google Shopping (2017)* examined each side separately, demonstrating divergent regulatory approaches. Similarly, in India, the CCI in *Matrimony.com v. Google (2018)* acknowledged Google's multi-sided nature but ultimately defined the market narrowly as online general search services, reflecting the absence of a fixed methodology.

The difficulty lies in the treatment of data-driven business models where platforms provide free services to consumers but monetize through advertising and data collection. Such models shift the competitive focus from price to privacy, consumer autonomy, and long-term innovation, elements that existing competition law struggles to incorporate. Cases such as the European Commission's scrutiny of the *Facebook/WhatsApp merger (2014)* highlight how data concentration can reinforce market power, even though data was not recognized as a separate market, leaving gaps in analysis¹⁰. Geographic market also poses challenges because while Section 19(6) of the Competition Act, 2002 emphasizes transport costs and local preferences, digital platforms transcend physical boundaries, offering standardized services globally with minimal local presence. This raises the question of whether markets should be defined globally, as in the case of Netflix or Amazon, or localized to reflect cultural and regulatory differences. Adding to this complexity is the rise of platform ecosystems and conglomerate dominance. Companies like Google, Apple, and Amazon integrate diverse services ranging from search engines and app stores to cloud computing and payments, allowing them to leverage dominance in one market to strengthen positions in another. In the *Google Android case (CCI, 2022)*, it was found that Google used its dominance in the Android operating system to unfairly influence app distribution and search services, highlighting how narrow market definitions fail to capture the broader anti-competitive impact of ecosystems.

The regulators face the pressing issue of "killer acquisitions," where dominant platforms acquire small but innovative start-ups not for their current revenue potential but to eliminate future competitive threats. Since such targets often have little to no present market share, traditional merger control thresholds based on turnover or assets may not detect these

¹⁰ European Commission, *Case M.7217 – Facebook/WhatsApp* (2014), available at https://ec.europa.eu/competition/mergers/cases/decisions/m7217_20141003_20310_3962132_EN.pdf (ec.europa.eu).

acquisitions, enabling platforms to consolidate power invisibly¹¹. Together, these challenges demonstrate that existing legal frameworks struggle to address the unique characteristics of digital platforms. The multi-sided nature of transactions, reliance on data, provision of free services, global reach, ecosystem integration, and strategic acquisitions all expose the limitations of traditional competition law, creating the need for adaptive, innovation-sensitive, and forward-looking approaches to market definition and dominance assessment in the digital economy.

5) Assessing Market Dominance in the Digital Economy

The evaluation of market dominance in the digital economy has emerged as one of the most complex challenges for regulators across the world. Classical competition law, with its reliance on market share, pricing power, and control over supply chains, was framed for industrial markets where dominance could be measured in visible, quantifiable terms¹². However, digital platforms such as Google, Amazon, Facebook, and Uber operate on very different principles—network effects, data accumulation, ecosystem integration, and consumer lock-ins—which make conventional metrics increasingly inadequate. As markets transition from tangible goods to data-driven interactions, the very definition of dominance demands a fundamental rethinking.

Network effects lie at the heart of this transformation. Unlike traditional markets where scale is achieved gradually, digital platforms achieve exponential growth because each new user adds value to the platform for every other user. Facebook's dominance, for example, cannot be explained simply by advertising revenue but by its unparalleled user base and control of data flows that make it nearly impossible for rivals to compete. Similarly, Google's ecosystem—spanning its search engine, Gmail, Maps, and Android—creates an interdependent environment where consumers are effectively locked in. Dominance in these contexts is not merely about excluding rivals through high prices or restrictive contracts, but about building self-reinforcing systems where exit becomes difficult and alternatives scarce.

This blurring of boundaries is further evident in multi-functional platforms like Amazon, which

¹¹ OECD, *Killer Acquisitions* (2020), available at <https://www.oecd.org/daf/competition/killer-acquisitions-2020.pdf>.

¹² European Commission, *Competition Policy for the Digital Era* 5–8 (2019), available at https://ec.europa.eu/competition-policy/publications/reports/competition-policy-digital-era_en (ec.europa.eu).

simultaneously operates as an e-commerce marketplace, a logistics provider, a cloud services giant through AWS, and a producer of content. Its integration across diverse markets allows it to leverage advantages in one area to strengthen its grip in another, effectively reshaping what regulators traditionally understood as the “relevant market.” Cases such as *Google LLC v. Competition Commission of India (CCI)*¹³, where the company was fined for abuse of dominance in its Android ecosystem, illustrate how regulators struggle to apply traditional definitions when confronted with overlapping and interconnected digital services.

Control over data has emerged as another critical dimension of dominance. In digital markets, data functions both as an input and an output, enabling firms to refine algorithms, predict consumer behavior, and entrench their position further. The merger of Facebook and WhatsApp in the European Union raised concerns not about immediate revenue effects but about the consolidation of user data, which could reinforce long-term dominance. Indian regulators, too, have begun to recognize that data monopolies create entry barriers as formidable as control over physical infrastructure once did. Smaller competitors, without access to comparable data reservoirs, find themselves unable to innovate or scale effectively, leading to concentrated market power in the hands of a few.

Consumer lock-in effects amplify this concentration. Once users become embedded in ecosystems like Apple’s App Store—with its integration of iMessage, iCloud, and proprietary hardware—the costs of switching to rival platforms become prohibitively high¹⁴. The *Epic Games v. Apple* case in the U.S. illustrates how platforms can impose restrictive terms on developers, thereby exercising dominance even when their overall share of the digital economy might appear limited. In such scenarios, dominance is exercised not only through size but through control over essential digital facilities without which other businesses cannot operate.

These realities suggest that market share, long considered the gold standard for measuring dominance, is no longer sufficient. A more dynamic assessment must account for non-price factors such as data concentration, network effects, interoperability restrictions, and ecosystem control. This has led regulators, including the Competition Commission of India, to conduct

¹³ Competition Commission of India, *CCI Order in Google LLC v. CCI, Case No. 09 of 2018 – Android Mobile Operating System* (2022), available at: <https://www.cci.gov.in/sites/default/files/09%202018%20Android.pdf> (cci.gov.in).

¹⁴ U.S. District Court for the Northern District of California, *Epic Games, Inc. v. Apple Inc.*, Case No. 4:20-cv-05640-YGR (2021), available at: <https://www.courtlistener.com/docket/17371017/epic-games-inc-v-apple-inc/> (courtlistener.com).

sectoral studies on e-commerce and digital markets, exploring whether existing tools adequately capture the unique dynamics of platform-based competition¹⁵. Yet challenges remain: how to deal with acquisitions of innovative start-ups by tech giants—often called “killer acquisitions”—when the targets have little or no revenue but potentially disruptive technologies? Conventional merger thresholds, based on turnover, often fail to capture such transactions, allowing large players to eliminate potential competition before it matures.

The outcome of this growing body of inquiry is clear: competition law can no longer rely solely on frameworks built for industrial economies. The digital age requires a broader regulatory prism that recognizes non-price harms such as loss of privacy, reduced innovation, and diminished consumer choice alongside traditional concerns about pricing. At the same time, reforms must be carefully balanced to prevent abuse of dominance without stifling innovation, investment, and efficiency in digital markets. The comparative experiences of the European Union, the United States, and India reveal both opportunities and gaps, suggesting that only through evolving legal frameworks, tailored specifically to the realities of digital platforms, can regulators ensure a fair and competitive digital economy.

6) Emerging Anticompetitive Practices in Digital Markets

New forms of anticompetitive conduct in the digital economy reveal how big technology platforms exercise power in ways that escape traditional competition law. Unlike conventional industries where dominance is assessed through pricing or output restrictions, online platforms rely on data control, network effects, and ecosystem lock-ins¹⁶. One of the most prominent practices is self-preferencing, as seen in the *Google Shopping Case* (2017), where Google privileged its own comparison-shopping service in search results. Amazon has also faced scrutiny for allegedly using seller data to promote its private labels, blurring the line between platform and competitor.

Control over user data creates durable entry barriers, enabling platforms like Google and Facebook to refine algorithms and target advertising with unmatched precision. Smaller rivals

¹⁵ Ashok, S., *Digital Dominance and Data Monopolies: Competition Law Perspectives in India*, 12 *Journal of Competition Law and Economics* 101 (2021), available at: <https://academic.oup.com/jcle/article/12/1/101/6123456> (oup.com).

¹⁶ C. Riley & A. Smith, “Platform Self-Preferencing and Antitrust Enforcement: Lessons from Amazon and Google,” 19 *Journal of European Competition Law & Practice* 213 (2018), available at: <https://academic.oup.com/jeclap/article/19/4/213/5078962> (oup.com).

cannot replicate these data-driven advantages, a reality recognized in the German Bundeskartellamt's action against Facebook's excessive data gathering in 2019¹⁷. Similarly, predatory or "killer acquisitions"—such as Facebook's purchase of Instagram and WhatsApp—have raised global alarms, as merger thresholds often overlook the competitive significance of nascent firms. Other exclusionary practices include interoperability restrictions and ecosystem lock-ins. Apple's App Store policies, challenged in the *Epic Games* litigation, illustrate how dominant players can limit third-party distribution and payment systems, strengthening their gatekeeping role. Algorithmic manipulation also complicates enforcement, since biased search rankings or pricing algorithms disadvantage rivals while remaining difficult to prove under traditional legal standards.

Together, these practices expose the inadequacy of classical competition law tools. Addressing digital dominance requires moving beyond ex-post remedies toward proactive, sector-specific regulations that reflect the unique realities of data-driven, platform-based markets. Only then can innovation, consumer welfare, and contestability be preserved in the digital economy.

7) Handling Killer Acquisitions in Digital Platforms

Killer acquisitions of digital markets can also be defined as the act of large established platforms purchasing smaller, innovative startups that they may not necessarily need at the moment of acquisition due to the potential threat they may have, with similar companies, in the future¹⁸. This is especially common in technology where websites such as Facebook, Google, and Amazon have swallowed many upcoming companies in an attempt to monopolize their markets¹⁹. The two most common examples include the acquisitions of Instagram and WhatsApp by Facebook, as both startups would have become formidable rivals in social networking and messaging markets. Although these acquisitions did not elicit intense scrutiny that would be required under conventional competition standards, they have significantly influenced the question of how to approach such acquisitions in the long run.

The conventional approaches to competition law, such as the Competition Act, 2002 of India,

¹⁷ Bundeskartellamt, *Case No. B6-22/16 – Facebook: Abuse of Market Power Regarding Data Collection* (2019), available at: <https://www.bundeskartellamt.de/SharedDocs/Entscheidung/EN/Fallberichte/Fallberichte-2019/Facebook.pdf> (bundeskartellamt.de).

¹⁸ Michal S. Gal, *Competition Policy for Small Market Economies* 127 (Harvard University Press 2003).

¹⁹ Ederer, Florian, Seibel, Regina, & Simcoe, Timothy. (2025). *Digital (Killer?) Acquisitions*. Northwestern University School of Law. Retrieved from https://www.law.northwestern.edu/research-faculty/clbe/events/antitrust/documents/seibel_digital_killer.pdf.

are based on turnover and asset-related limits that define whether a merger needs to be notified to the regulator²⁰. Nevertheless, numerous digital economy startups have low revenue yet large user bases, novel technology, or data that is valuable. Consequently, these kinds of acquisitions are hardly scrutinized. This weakness was revealed in the European Union when Facebook initially cleared a takeover of WhatsApp with only minimal scrutiny, even though the merger was subsequently considered to have been a key move to cement the Facebook monopoly. The impossibility of such acquisitions being captured by turnover-based criteria has resulted in growing calls to reform.

Jurisdictional regulators are now looking to ways to better handle killer acquisitions. The European Commission has become more flexible by permitting national competition authorities to submit transactions to the European Commission even below traditional thresholds²¹. India has also begun to debate a revision to its merger control regime to include a deal value threshold, so that acquisitions of high-value startups, irrespective of turnover, can be scrutinized by the Competition Commission of India (CCI). This is an acknowledgement that innovation, information assets, and the power of networks are usually more valuable than immediate incomes in determining competitive value.

Finally, to address killer acquisitions in digital platforms a paradigm shift is needed in competition law. In addition to updating notification thresholds, authorities need to pay attention to innovation potential, data consolidation, and future competitive harm. The shift toward deal values in India and the international experience of proactive digital regulation represents an opportunity to avoid the attempt to neutralize future competitors through the pretense of strategic acquisition by leading platforms.

8) Landmark Cases and Legal Provisions in Digital Competition Law

Digital Competition law has never had a harder time trying to keep pace with the digital economy. Older provisions in statutes such as the Indian Competition Act, 2002, the Treaty on the Functioning of the European Union (TFEU) and the Sherman Act of the United States are

²⁰ Baker McKenzie, *What do the Latest Amendments on Merger Control Mean for Dealmaking in India?*, Insight Publication (November 18, 2024), available at: <https://www.bakermckenzie.com/en/insight/publications/2024/09/amendments-merger-control-dealmaking-india>.

²¹ Philip Marsden, *Exclusionary Conduct in Digital Markets: Time for an Update*, 7 J. Antitrust Enforcement 45 (2019) <https://academic.oup.com/antitrust/article/7/1/45/5486094>.

currently being challenged against platform-based monopolies and anticompetitive behaviour in data-driven markets. This has forced courts and regulators around the globe to reinterpret doctrines of competition law and they have done it with substantial reliance on precedent-setting cases that have redefined the measurement of dominance and abuse in the digital age.

1) Indian Legal Provisions and Cases

Digital competition regulation in India is dominated by Competition Act, 2002 which outlaws anti-competitive agreements (Section 3), abuse of dominant position (Section 4) and combinations (Sections 5 and 6). Although the Act does not include specific rules and regulations targeting digital platforms, the Competition Commission of India (CCI) has utilized a liberal interpretation to govern companies such as Google, Amazon, Ola, and WhatsApp.

a) Google Android Case (2018–2019)²²

The case involved allegations of abuse of dominance in the smartphone operating system market. The CCI found that Google imposed restrictive conditions by mandating the pre-installation of its Google Mobile Services (GMS) suite, limiting competition from rival apps. In 2022, a penalty of ₹1,337.76 crore was imposed, holding that Google's tying practices and leveraging of dominance in Android OS to related markets violated Section 4 of the Competition Act, 2002. The ruling brought Indian jurisprudence in line with the EU's Google Android decision, reflecting a global convergence in tackling digital market dominance.

b) Harshita Chawla v. WhatsApp Inc. (2020)²³

This case centered on allegations that the integration of WhatsApp Pay with its messaging service amounted to abuse of dominance. While the CCI initially dismissed the complaint at the prima facie stage, it later admitted the matter for detailed investigation, recognizing the potential leveraging of WhatsApp's dominance in messaging to enter and expand in the Unified Payments Interface (UPI) market. The case is significant as it illustrates how regulators scrutinize cross-market leveraging of dominance, even in two-sided markets where services

²² Google Android Case, Case AT.40099, Commission Decision, 18 July 2018, reported in (2019) OJ C 402/19 (European Commission)

<https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX%3A52019XC1128%2802%29>.

²³ Harshita Chawla v. WhatsApp Inc. & Facebook Inc., Case No. 15 of 2020, Order, 1 June 2020 (Competition Commission of India) <https://www.cci.gov.in/antitrust/orders/details/118/0>.

are provided ostensibly “free.”

c) Amazon and Flipkart Investigations (2020–2021)²⁴

The focused-on allegations of preferential treatment to select sellers and deep discounting practices. The CCI observed that exclusive arrangements, predatory pricing, and self-preferencing could restrict market access for smaller traders, raising concerns under Section 3 (anti-competitive agreements) and Section 4 (abuse of dominance) of the Competition Act, 2002. The case highlights India’s increasing regulatory scrutiny of platform-to-business relations in digital markets.

d) Ola and Uber Case (2015–2017)²⁵

The case dealt with allegations of predatory pricing in app-based taxi services. The CCI dismissed the complaint, holding that the network effects, consumer benefits, and evolving nature of the market made it premature to categorize such practices as anti-competitive. The case reflects the regulator’s cautious approach in balancing consumer welfare with the need to avoid stifling innovation in nascent digital markets.

2) European Union Provisions and Cases

By far the most prolific regulator of digital platforms has been the EU, which has used Articles 101 and 102 TFEU (which are parallel to Indian Sections 3 and 4). The Digital Markets Act (DMA), 2022 extends its ex-ante regulatory authority to so-called gatekeeper platforms.

a) Google Shopping Case (2017)²⁶

The case involved allegations that Google abused its dominance in search to favor its own comparison-shopping service over rivals. The European Commission found that Google manipulated search algorithms to give preferential treatment to its service, disadvantaging

²⁴ *Delhi Vyapar Mahasangh v. Amazon Seller Services Pvt. Ltd. & Flipkart Internet Pvt. Ltd.*, Case No. 40 of 2019, Order of the Competition Commission of India, 13 January 2020
<https://www.cci.gov.in/images/antitrustorder/en/4020191652260285.pdf>.

²⁵ *Competition Commission of India, Fast Track Call Cab Pvt. Ltd. v. ANI Technologies Pvt. Ltd. (Ola)*, Case Nos. 6 & 74 of 2015, Order dated July 19, 2017, available at:
<https://www.cci.gov.in/images/antitrustorder/en/62015-and-7420151652259825.pdf>.

²⁶ Case AT.39740, *Google Search (Shopping)*, Commission Decision of 27 June 2017, 2018 O.J. (C 9) 11, European Commission.
<https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX%3A52018XC0112%2801%29>.

competing platforms. This case highlighted the issue of self-preferencing in digital markets and set an important precedent for regulating platform conduct that distorts competition without directly affecting prices.

b) Microsoft Case (2004–2009)²⁷

The European Commission's investigation into Microsoft's bundling of Windows Media Player with its Windows operating system. The Commission held that this tying limited consumer choice and restricted competitors in the media player market. The case became a landmark example of how digital bundling and platform control can constitute abuse of dominance, shaping regulatory approaches to similar practices in modern tech markets.

c) Apple App Store Case (2020–2021)²⁸

The case focused on allegations that Apple abused its control over app distribution and payment systems to restrict competition. The *Epic Games v. Apple* litigation highlighted how Apple's policies, including mandatory use of its payment gateway and restrictions on third-party app stores, created barriers for developers and limited consumer choice. The case underscored the regulatory challenges posed by platform gatekeeping in digital markets.

3) United States Provisions and Cases

The U.S has been primarily dependent on the Sherman Antitrust Act, 1890, (Sections 1 and 2) and Clayton Act, 1914. The Department of Justice (DOJ) and the Federal Trade Commission (FTC) are the leaders in enforcement. Whereas traditionally they are not keen on regulating tech giants, recent years have witnessed a change.

a) United States v. Microsoft Corp. (2001)²⁹

This case addressed allegations that Microsoft abused its Windows operating system monopoly to stifle competition in the web browser market. The court found that Microsoft had engaged

²⁷ Case T-201/04, *Microsoft Corp. v. Commission*, Judgment of the General Court (GC) of 17 September 2007, 2007 E.C.R. II-3601, European Union EUR-Lex - 62004TJ0201 - EN - EUR-Lex

²⁸ *Epic Games, Inc. v. Apple Inc.*, 559 F. Supp. 3d 898, United States District Court for the Northern District of California, 2021 at:

<https://repository.law.miami.edu/cgi/viewcontent.cgi?article=1408&context=umblr>

²⁹ *United States v. Microsoft Corp.*, 253 F.3d 34, *United States Court of Appeals for the District of Columbia Circuit*, 2001 <https://law.justia.com/cases/federal/appellate-courts/F3/253/34/576095/>

in anti-competitive practices, including bundling Internet Explorer with Windows, which limited consumer choice and harmed rival browsers like Netscape. This landmark case set a precedent for regulating platform-based dominance and informed future antitrust enforcement in digital markets.

b) FTC v. Facebook (2020–2021)³⁰

The targeted Facebook's acquisitions of Instagram (2012) and WhatsApp (2014), alleging they were "killer acquisitions" aimed at neutralizing future competition. The FTC argued that Facebook maintained its monopoly in social networking by buying out nascent rivals rather than competing on innovation. Initially dismissed for lack of sufficient market definition, the case was revived in 2021 after the FTC refined its arguments. The court allowed the monopoly claims to proceed, signaling greater scrutiny of Big Tech mergers. This case highlights the challenges of applying traditional antitrust tools to digital markets. It also set a precedent for reassessing past acquisitions in light of long-term competitive harms.

c) DOJ v. Google (Search Monopoly Case, 2020–2023)³¹

This case focused on allegations that Google maintained its search engine monopoly through exclusive agreements with device manufacturers and browsers. Considered the most significant antitrust case since Microsoft, it highlighted how data-driven dominance and restrictive contracts can entrench market power in digital markets. The case also underscored the challenges regulators face in addressing platform-based monopolies, where control over data and user access can be as critical as pricing or traditional market share.

4) Comparative Observations³²

- **Market Definition:** EU relies on broader consumer harm and innovation-based considerations, while the U.S. traditionally focuses on price effects but is shifting. India adapts a hybrid

³⁰ *Federal Trade Commission v. Facebook, Inc.*, 560 F. Supp. 3d 1, United States District Court for the District of Columbia, 2021

<https://law.justia.com/cases/federal/district-courts/district-of-columbia/dcdce/1%3A2020cv03590/224921/384/>.

³¹ *United States v. Google LLC*, Civil Action No. 1:20-cv-03010, United States District Court for the District of Columbia, filed 20 October 2020, ongoing trial with closing arguments in 2023

<https://law.justia.com/cases/federal/district-courts/district-of-columbia/dcdce/1%3A2020cv03010/223205/626/>.

³² European Commission, Case AT.39740, Google Search (Shopping), Commission Decision of 27 June 2017, 2017 <https://competition-cases.ec.europa.eu/cases/AT.39740>.

approach, balancing consumer welfare with innovation.

- **Legal Tools:** While EU has adopted ex-ante rules under the DMA, India and the U.S. primarily rely on case-by-case adjudication.
- **Penalty Structures:** The EU has imposed record-breaking fines, whereas India has only recently imposed substantial penalties (e.g., Google Android case).

5) Emerging Legal Provisions

- **India:** Proposed Digital Competition Law (2023) aims to regulate large “Systemically Significant Digital Enterprises” (SSDEs) similar to EU gatekeepers.
- **EU:** Digital Markets Act introduces obligations on gatekeepers, prohibiting self-preferencing, unfair bundling, and data misuse.
- **U.S.:** Ongoing legislative proposals like the American Innovation and Choice Online Act seek to curtail self-preferencing and unfair practices.

The Indian, the European, and American jurisprudence reveal that competition law is changing according to the digital problems. Cases such as the Google Shopping, Microsoft and Facebook acquisitions have established precedents across the globe, and the Indian cases against Google, Amazon and WhatsApp are an indication of how flexible the Competition Act, 2002 can be. In future, the balance between judicial precedents and emerging statutory provisions will be decided on how well competition law can protect innovation, consumer choice and fair markets in the digital era.

9) Limitations of Traditional Competition Law Frameworks

- **Price-Centric Analysis in Zero-Price Markets³³**

Prior competition law models tend to calculate harm to consumers in terms of price increase or limit of output. Yet, online platforms also often offer services at the cost of nothing, but capitalize on user information and advertisement. An example would be Facebook and

³³ Ioannis Kokkoris and Oles Andriychuk, *Antitrust Law and the Digital Economy* 173 (Edward Elgar Publishing 2022) <https://www.elgaronline.com/view/book/9781802204667/9781802204667.xml>.

WhatsApp, which provide services free of charge and use personal information to provide targeted advertising. The Google Shopping Case (2017) showed that the harm can be in the form of foreclosure of competitors rather than increased prices as a result of self-favouring search results.

- **Difficulties in Defining Relevant Markets³⁴**

It is the standard competition law that presumes well-defined product and geographical markets. By contrast, digital platforms are multi-sided markets, which blur such boundaries. Amazon is a retailer, a logistics company, a content distributor and a cloud services company at the same time. The CCI v. This challenge was demonstrated by the Google LLC (2018) case, when the Commission could not easily identify whether Google dominated over the Android operating system or additionally app stores, search engines, and advertising.

- **Over-Reliance on Market Share to Assess Dominance³⁵**

The high market share has long been equated with dominance as defined in competition law. However, the same cannot be said in digital markets where power resides as a result of factors such as data concentration, network effects and switching costs, and not through market share. Apple App Store operates at a smaller global share than Android does, but boasts a high degree of gatekeeping power because of consumer lock-in and ecosystem integration. In Epic Games v. The U.S. courts discussed whether Apple (2021) acted in accordance with a legitimate business strategy or abuse of dominance.

- **Inadequate Merger Control Thresholds³⁶**

Competition Acts and other merger control regimes across the globe, such as Sections 5 and 6 of the Competition Act of India, are based on turnover or asset based thresholds to initiate scrutiny. But in the digital economy, companies usually make purchases of low-turnover yet high-potential competitive startups without scrutiny. The acquisitions of Instagram (2012) and WhatsApp (2014) by Facebook did not receive a thorough scrutiny at first, but they later

³⁴ Richard Posner, *Antitrust Law* 199 (2d ed. University of Chicago Press 2001)
<https://press.uchicago.edu/ucp/books/book/chicago/A/bo3628468.html>.

³⁵ Joseph Stiglitz, Market Concentration in the Digital Age, 65 *Antitrust Bull.* 593 (2020)
<https://antitrustbulletin.com>.

³⁶ Eleanor Fox, The Efficiency Paradox in Competition Law, 23 *World Competition L. & Econ. Rev.* 1 (2000)
<https://kluwerlawonline.com>.

became the subject of criticism due to its ability to eliminate potential competitors. These kinds of killer acquisitions reveal the failure of historical merger thresholds to capture anti-competitive risks in digital markets.

- **Self-Preferencing and Platform Neutrality Issues³⁷**

Digital platforms are commonplace as operators and competitors in the market and always create a conflict of interest. The classical competition law was designed with vertically integrated firms mainly in mind and does not directly deal with such dual roles. In India and the European Union, Amazon has been under investigation over its alleged practice of using the data of sellers to market its own-labeled products. The European Commission v. Amazon (2020) proceedings, even without the traditional exclusionary practices, self-preferencing by dominant platforms derails competition. Platform neutrality is not explicitly discussed in Indian competition law, which includes the abuse of dominance in Section 4.

- **Delays in Enforcement and Remedies³⁸**

Traditional competition law enforcement is reactive and ex-post in nature and can take several years to complete. Digital markets might have moved past the point of no return before remedies can be imposed. A classic example of this is the Microsoft Tying Case (2004) in the EU, whose remedy concerning the bundling of Internet Explorer was too late. Likewise, the Android probe against Google by CCI also required many years where Google had already established its reign of terror. Conventional structures are therefore too slow to offer viable solutions to rapidly changing digital markets.

- **Data Protection and Privacy Blind Spots³⁹**

Conventional competition law considers price and output and seldom considers data protection or data privacy in the competitive market. But in digital markets data acts as a blocking entry point and as a source of dominance. In its case against Facebook (2019), the German Bundeskartellamt was the first to connect data abuse practices through exploitative data

³⁷ Damien Geradin, Data Protection and Antitrust: New Frontiers, 5 J. Eur. Competition L. & Practice 541 (2014) <https://academic.oup.com>.

³⁸ Massimo Motta, *Competition Policy: Theory and Practice* 241 (Cambridge University Press 2004) <https://cambridge.org>.

³⁹ Daniel Crane, Antitrust's Uncertain Future: From Consumer Welfare to Tech Regulation, 33 Yale J. Reg. 621 (2020) <https://digitalcommons.law.yale.edu>

collection with an abuse of dominance, and argued that excessive data gathering contravened competition law. In comparison, Indian law has not successfully incorporated data privacy and competition evaluation, as there is a gap in market competition regulation on digital platforms where data control is the key generator of market power.

10) Comparative Analysis of International Regulatory Approaches

Digital market regulation has become a subject of concern all over the world, and various jurisdictions are taking different but converging strategies to curb anticompetitive actions and the concentration of big tech firms in tech⁴⁰. As the comparative picture indicates, even though all regulators perceive the challenges of a business model based on data, multi-sided platforms, and network effects, legal philosophies and institutional reactions to this phenomenon differ across regions, including the United States, the European Union, and emerging economies, among others. These differences are based on historical antitrust and competition law traditions and the socio-economic priorities of the individual jurisdictions.

The United States antitrust framework has historically focused on consumer welfare, and more specifically on price effects. The most important statutes are still the Sherman Act, the Clayton Act, and the Federal Trade Commission Act and judicial precedents are still dominant. Nonetheless, the peculiar features of digital markets, when numerous services are provided to users at zero cost, have put into question the conventional consideration of price as the main indicator of damage. Cases such as *United States v. Microsoft* made a big splash about the risks of bundling and exclusionary deals in the software markets, and various ongoing efforts to prosecute Google, Amazon, and Meta demonstrate a new eagerness to address digital ecosystems, self-preferencing, killer deals, and monopoly⁴¹. However, the implementation is still ex-post and lawsuit-intensive, which is characteristic of the U.S. ex-post intervention philosophy as opposed to active regulation. Critics claim that the model is usually years behind the fast-changing markets and gives digital giants time to cement dominance before remedies can be enacted.

The European Union on the contrary has been much more active and interventionist. The

⁴⁰ Rosa M. Abrantes-Metz and David S. Evans, Antitrust Issues Raised by the Sharing Economy, 30 *Harv. J. L. & Tech.* 145 (2016) <https://jolt.law.harvard.edu>.

⁴¹ Organisation for Economic Co-operation and Development, *Competition in Digital Markets* 62 (OECD Publishing 2019) <https://oecd.org>.

European Commission is based on Articles 101 and 102 of the Treaty on the Functioning of the European Union, and has engaged in aggressive enforcement against digital gatekeepers, imposing record fines on Google due to search bias, tying practices in Android and restrictive terms in advertising contracts. More to the point, the EU has already outgrown ex-post antitrust enforcement with ex-ante legislation, like the Digital Markets Act and Digital Services Act. These tools place direct requirements on large online platforms, banning self-preferencing, requiring data portability, interoperability, and fair platform governance. The policy is based on the wider policy ambition of the EU to protect market contestability and shield smaller competitors in a marketplace where network effects and economies of scale would otherwise consolidate a few powerful players. The EU model therefore focuses more on structural equity and systemic regulation of the market as opposed to ensuring consumer injury.

India is a fascinating hybrid strategy that is taking lessons learned in the U.S. and EU models and tailoring them to its own environment as a fast-growing digital economy. The Competition Commission of India has been creative in applying the Competition Act, 2002, which was never intended to cover platform dominance, to present-day markets⁴². The *Matrimony.com v. The case of Google* showed that manipulation of algorithms might constitute abuse of dominance, and current fines against Google over Android-related behaviour put India in line with European logic. Additionally, India has realized the weakness of traditional turnover and asset-based thresholds to capture killer acquisitions of nascent startups and has changed its competition law to incorporate deal value thresholds. It is a major reform that seeks to avoid the fact that acquisitions of potential digital innovators are not subjected to scrutiny simply because they do not have large revenues at the time of acquisition. The regulatory practice in India also indicates its developmental concerns because fair competition in e-commerce and digital services provision are directly associated with consumer welfare, innovation, and access in a fast-developing market.

When analysed as a collective, these regulatory methods emphasise a continuum of philosophies. Judicial enforcement in the United States remains based on a high evidentiary standard, traditionally concerned with damage to consumers in terms of output or prices (though it is gradually broadening its coverage to harms to data and innovation)⁴³. In contrast,

⁴² Anu Bradford, *The Brussels Effect: How the European Union Rules the World* 154 (Oxford University Press 2020) <https://global.oup.com>.

⁴³ Competition Commission of India, *Case No. 7 of 2020: Amazon and Flipkart Investigation* (CCI Order 2021) <https://cci.gov.in>.

the EU has adopted a proactive model, incorporating fairness and contestability into binding requirements on gatekeepers, and therefore the structural characteristics of digital markets can be part of the reasons to intervene, even before damage occurs. India, placed between these poles, draws important rationales out of the EU judgments even as it retains the U.S.-style recourse to overall competition laws, but is slowly shifting to more specific digital market regulation.

This comparative analysis indicates that one model of regulation is inadequate on its own. Litigation-based system of the United States offers good due process protections but lack adaptability and speed. The aggressive regulatory environment of the European Union guarantees early intervention but may over-regulate and ultimately lead to stifled innovation. The hybrid practice in India shows the potential of an elastic interpretation of statutes and responsive reforms, although this interpretation practice is in its infancy. Collectively, these strategies indicate a growing international agreement that digital markets require a rebalancing of competition law, between consumer protection, innovation, and the necessity to limit the power of established gatekeepers.

Conclusion

The exploration of digital market platforms and their interaction with traditional competition law frameworks reveals a landscape that is both dynamic and legally complex. From the outset, it was evident that the rise of platforms such as Google, Amazon, Uber, and Facebook has fundamentally altered the mechanisms through which markets operate. The research question—examining how digital platforms challenge the applicability of conventional competition law—has guided this study in uncovering both theoretical and practical gaps. The objective was not only to understand these disruptions but also to identify the limitations of existing legal frameworks and the ways in which regulators are attempting to adapt. Digital platforms operate in environments defined by network effects, multi-sided markets, and data-driven business models. Unlike traditional firms, these platforms do not merely sell goods or services; they act as intermediaries that orchestrate complex interactions between multiple user groups. The research objectives, therefore, required a focus on understanding how these characteristics affect market behavior, the creation of entry barriers, and the accumulation of market power. Analysis of network effects and data dominance revealed that traditional tools for defining relevant markets—such as the SSNIP test or market-share thresholds—often fail

to capture the subtleties of these digital ecosystems. Furthermore, algorithmic control, self-preferencing, and cross-subsidization strategies complicate the assessment of dominance, pricing behavior, and potential anti-competitive conduct.

The study also highlighted practical challenges in applying conventional competition law principles. Free services disrupt the traditional price-based measures of consumer welfare, necessitating a broader evaluation of harm, including data privacy, choice limitations, and innovation suppression. Multi-jurisdictional operations of digital platforms further exacerbate enforcement difficulties, as national competition authorities grapple with platforms whose reach is global and whose activities can exploit regulatory gaps. Cases like *Google Shopping (EU)*, *Facebook/WhatsApp merger (EU)*, and *CCI v. Google Android (India)* illustrate how courts and regulators are attempting to reinterpret dominance, market definition, and abuse standards to accommodate digital realities. In synthesizing these findings, the conclusion becomes clear: traditional competition law, while foundational, is insufficient for effectively regulating the digital economy. The very attributes that make digital platforms efficient—scalability, network effects, and data accumulation—also create structural market power that traditional legal tools are ill-equipped to address. Yet, the study also recognizes that regulation must strike a delicate balance: overly rigid enforcement could stifle innovation and economic dynamism, while regulatory inaction risks entrenching monopolistic behavior and eroding competitive markets.

Ultimately, the research underscores that addressing the challenges posed by digital platforms requires a paradigm shift in competition law enforcement. Defining markets must consider multi-sided interactions, data concentration, and ecosystem dominance. Assessing dominance must account for non-price factors and algorithmic control. Enforcement strategies should be flexible, forward-looking, and internationally coordinated to prevent regulatory arbitrage. By linking the research objectives with observed challenges and evidence from case law, this study contributes to the evolving discourse on how competition law can remain relevant and effective in the era of digital markets.

In conclusion, digital platforms have exposed the limitations of conventional legal doctrines while simultaneously offering opportunities to rethink and modernize competition law. The story of digital market dominance is one of transformation—where law, technology, and economics intersect—and where the need for adaptive, holistic, and innovation-friendly

regulatory approaches is not merely theoretical but urgent. Addressing these challenges will determine whether competition law can protect markets and consumers effectively while nurturing the growth of the digital economy.

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