

Index

- abuse of dominance, 298
- AI Act, 212–213
- algorithmic decision-making, 7, 13, 212
- algorithmic pricing, 1, 3, 19, 24–25, 51, 58, 62, 65–66, 90–91, 93–94, 96, 171, 174, 189, 199, 305, 310, 313
- definition of, 193–194, 199, 220, 234, 277, 285, 297, 302
- detection of, 24
- economics of, 2, 5, 50–51, 56, 68, 86, 101, 105, 127, 141, 167, 173–174, 193, 195, 202
- grounds for, 36, 151, 309
- history of, 29, 39, 91, 101, 108, 112, 119, 127, 131, 165, 174, 198, 220, 242, 270, 277, 279, 304, 324, 328
- morality of, 4, 9–11, 47–48, 102, 112–113, 115
- allocative effects, 202–203
- allocative efficiency, 73–74, 87, 182
- anticompetitive conduct, 309–310
- Articles 101 and 102 TFEU, 194
- big data analysis, 198
- Brazil, 2, 19, 22, 219, 223, 225, 228, 230, 232–233, 235–236
- bundling, 44, 51, 56, 70
- California Consumer Privacy Act, 316
- Canada, 22, 257–259
- case-by-case analysis, 45, 147, 206, 234, 236, 310
- China, 3, 19, 22, 104, 270–272, 274, 278–281, 283, 294, 300
- concerted personalized prices, 208
- consumer, 2, 20, 31, 39, 50, 59, 76, 87, 107, 133, 151, 155, 161, 181, 191, 197, 213, 227, 240, 260, 270, 279, 299, 315, 325
- consumer law, 2, 75, 133, 140, 190, 219, 227, 236
- consumer surplus, 19, 45, 52, 57, 59, 62–63, 88, 105, 194, 200, 216, 254, 266
- consumer welfare, 12, 18, 73–74, 79, 105, 170, 174, 192, 201, 203, 205, 222, 235, 298, 311
- core terms, 77
- Data Act, 213
- data privacy and protection, 8, 83, 130–131, 148, 152, 155, 185, 199, 210, 216, 229, 231–232, 257–259, 263–264, 282, 289–291, 294, 296
- deadweight loss, 184
- Digital Markets Act, 2, 105, 213
- disclosure, 14, 21, 24, 33–34, 49, 60–61, 140–142, 146, 149, 160–161, 236, 240–241, 256, 259, 261, 263–264, 299, 323, 325
- discrimination, 3, 7, 42–44, 56, 58, 83, 90–91, 98, 100–101, 103–107, 109, 116, 129–130, 143, 147, 150, 152, 155, 162–163, 166, 168, 186, 192–196, 199–201, 203, 206–208, 212, 216, 220, 222, 224, 231, 233–234, 237–238, 245, 251, 264, 270, 272, 275–276, 289–290, 296, 308, 314–315, 317, 325
- distribution, 17, 46, 53, 80, 125, 130, 133, 204, 209
- divide et impera*, 78–79, 85
- economic welfare, 17, 193, 201, 242, 245
- equality, 47, 73, 116, 121–122, 132, 139, 221–222, 225, 288–289
- EU case law, 145, 150, 161, 176–177, 210, 297–298
- European Union, 2, 19, 104, 150, 217, 252, 288
- exclusionary abuse, 106, 210, 212
- explainability, 7, 13, 323
- exploitative abuse, 210, 309
- fairness, 7, 10, 24, 61, 96–97, 105, 118, 148, 170, 177, 274, 278, 290, 296, 319
- fixed price, 108, 120, 132, 150, 309, 326
- free competition, 215, 221, 230, 233
- general equilibrium, 59, 63

- harm, 8, 17, 29, 43, 59, 79, 125–126, 204, 224, 228, 233, 254, 266, 298, 312, 317, 323
- hidden gem, 78–79
- hidden trap, 78–79
- horizontal price collusion, 127, 128, 312
- impersonal price, 16, 19, 100, 108–109, 120, 130, 135, 157, 158, 214
as a benchmark, 19, 21, 202
right to the, 22–23, 229
- India, 22, 285, 287–288, 293, 297–298
- information duties, 140, 145–146, 149, 154, 160
- innovation, 58, 123, 139, 204, 212, 235, 258, 275, 297, 300
- insurance, 17, 56, 66, 68–69, 79, 81–82, 303
- integer impersonal price, 22–23, 229
- Intel* case, 212
- intertemporal price discrimination, 51, 58
- laesio*, 1, 4, 11, 25, 117
algorithmica, 1, 4, 25, 62
enormis, 1, 4, 11, 25, 117
- loyalty rebates, 174, 211
- market persona, 11
- market power, 29, 31
- market structure, 201
- mergers and acquisitions, 314
- necessity, 17, 79, 81, 86, 151–152, 231
- non-discrimination, 213, 221, 225, 231, 236, 277
- non-discriminatory access, 213
- oligopolistic market, 201, 312
- Omnibus Directive, 15
- peak-load pricing, 51
- per se* prohibition, 308, 314
- perception of fairness, 60–62
- perfect competition, 53, 74, 117, 194, 202, 210, 215, 307
- personal data, 3, 8, 20, 36, 65, 149–150, 166, 185–186, 230, 253, 256, 284, 315
- pooling, 6, 79, 82–83, 85–87
- predatory pricing, 125, 244, 308, 310
- price discrimination, 4, 106, 195, 222, 283, 303, 324
first-degree, 90, 195, 205, 239, 283, 303–304
second-degree, 7, 173, 196, 198, 302
third-degree, 196, 198, 304
- price fairness, 4, 8–11, 16, 96, 129, 141, 143, 215, 242, 319
- consumer privacy, 18, 40, 89, 256, 316, 318
substantive, 3, 11, 21, 23, 40, 77, 117, 146, 174, 189, 238, 261, 272, 318, 320
procedural, 8, 14, 254, 268, 282, 318, 320
- price fixing agreement, 208
- price personalization, 1, 9, 19, 32, 40, 58, 72, 82, 100, 139, 144–145, 148–149, 152, 156, 159, 162, 166, 173–174, 191, 200–201, 204, 207, 221, 228–229, 234, 252, 261, 285, 288, 298, 315, 323
- privacy, 2, 7, 23, 41, 103, 119, 162, 219, 226, 251, 265, 294, 316, 329
- proportionality, 160, 222, 264
- remedies and sanctions, 24, 145, 160–162, 242, 246, 252, 298–299, 324
- reputation, 102, 112, 125–126, 130–132, 233
- reservation price, 5–6, 29, 39–40, 42, 50, 55, 93, 101, 103, 238
- right to delete, 325, 327–328
- right to limit, 326–327
- right to opt-out, 19, 21–23, 229, 236, 328
- risk, 6, 66, 80, 82, 87, 220, 236, 259
- risk pooling, 6, 79, 82–83, 85–87
- Robinson–Patman Act, 308
- rule of reason, 234, 236
- salient terms, 75
- Servizio Elettrico Nazionale* case, 197, 206
- taxation, 19
- total welfare, 12, 18, 74, 105, 192, 201, 203, 205, 209, 216
- transparency, 3, 7, 11–12, 21, 24, 31, 52, 89, 141, 147–149, 152, 159, 174, 176, 189, 213, 215, 222, 231, 233, 236, 241, 261, 272, 274, 282, 285, 299
- trust, 61, 86, 97, 163, 167, 200, 215, 281, 294
- two-part tariff, 51, 56
- unconscionability, 11, 238, 249, 253–254, 317–318, 320
- Unfair Commercial Practices Directive, 140
- Unfair Contract Terms Directive, 2, 14, 77, 140
- unilaterally imposed personalized prices, 208
- United Brands* case, 210
- United States, 22, 37, 131, 300, 329
- welfare in EU competition law, 205
- well-functioning market, 215
- willingness to pay, 199, 202–203, 212