



Dr Danilo Samà
Competition Economist (Ph.D.)
www.danilosama.com

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Dr Danilo Samà

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Biography

www.danilosama.com/biography

Dr Danilo Samà

Senior Competition Economist (Ph.D.)

Paris (France)

www.danilosama.com

(Italy, 1984). Dr Danilo Samà has been working as Senior Competition Economist at CDC Cartel Damage Claims in Paris since 2021, where is office manager, case manager, and responsible for the economic analysis, econometric assessment and damage quantification. Having joined CDC in Brussels in 2014, in his role, he has gained extensive experience in all phases of damage litigation, working on economic issues concerning some of the largest antitrust cases in Europe. His expertise ranges from the development of theories of harm in relation to markets affected by cartels, the design of architectures for the collection of data provided by damaged companies, to the quantification of damages in and out-of-court. In his daily activities, he is in contact with the CDC's network of renowned academic experts in the fields of econometrics and industrial organisation. Furthermore, he serves the French and Italian markets as a primary contact for damaged companies and law firms. Over the years, he has contributed to pioneering innovations in private antitrust enforcement such as the CDC's interest calculation tool.

Before joining CDC, in 2011-2012 he worked as Competition Economist Trainee at the Directorate-General for Competition (DG COMP) of the European Commission for the Unit A/3 - *State Aid Case Support and Policy* directed by Mr Koen Van de Castele, supporting the Deputy Director General for State Aids Mr Gert-Jan Koopman and the Chief Economist Team. In 2009-2010 he worked as Competition Economist at Pavia & Ansaldo in the antitrust department directed by Mr Stefano Grassani, working on cases before the European Commission and the Italian Competition Authority concerning abuses of dominant position, cartel investigations, mergers and state aids.

Ph.D. (Doctor of Philosophy) in Economic Analysis of Competition Law, XXV cycle, LUISS "Guido Carli" University of Rome, Faculty of Economics, Italy (2014), defending the dissertation "*Essays on Economic Analysis of Competition Law: Theory and Practice*". Ph.D. Visiting Researcher in Quantitative Economics at the Toulouse School of Economics, France, focusing on econometrics techniques and industrial organization applied to competition policy (2013). European Master in Economic Analysis of Law, attending the Erasmus Rotterdam University, The Netherlands, the Ghent University, Belgium, and the University of Hamburg, Germany (2011): dissertation in Economic Analysis of Competition Law under the supervision of Prof. Dr Emeritus Thomas Eger (University of Hamburg) and the examination of Prof. Dr Elena Argentesi (University of Bologna) about the antitrust economic treatment of discount and rebates (3rd best thesis). For the Master, he awarded the Erasmus Mundus Scholarship granted by the European Commission, being for merit first ranked over 800 students worldwide. M.Sc. Master of Science Degree *cum summa laude* in Economic Analysis of Law at LUISS, Faculty of Economics (2009), with a dissertation in Economics Analysis of Competition Law under the supervision of Prof. Emeritus Roberto Pardolesi about the

relationship between competition and regulation in the telecommunication markets: to prepare the thesis, he spent a visiting research period at the School of Business and Social Sciences, Aarhus University, Denmark (2008). B.Sc. Bachelor of Science Degree *cum summa laude* in Economics at LUISS, Faculty of Economics (2006), with a dissertation in Industrial Organization under the supervision of Sen. Prof. Emeritus Carlo Scognamiglio about the liberalization and privatization of the energy markets, focusing on the antitrust judgement against ENI for abuse of dominant position which led the Italian Competition Authority to impose the highest fine ever levied in Italy.

Dr Danilo Samà is Research Fellow and General Secretary at the LUISS's Law & Economics LAB for the Competition Law & Economics area (www.law-economics.net) and Editor-in-Chief of Competition Policy News (www.competition-policy-news.com), website which reports all latest news worldwide concerning competition policy which are released by authorities, economists, lawyers and universities. He is a member of the Italian Antitrust Association. His main fields of academic interest and professional occupation concern antitrust, competition and regulation, which he has experienced in Belgium, Denmark, France, Germany, Italy and The Netherlands. He has published several articles in international journals and monographs, available on his personal website (www.danilosama.com).

Curriculum Vitae

www.danilosama.com/curriculumvitae

Curriculum Vitae

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Biography

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Presentation

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Education

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Ph.D. | LUISS “Guido Carli” University of Rome (Italy)

www.danilosama.com/education/phd-luissguidocarliuniversityofrome-italy

Ph.D. Doctor of Philosophy in Economic Analysis of Competition Law
Faculty of Economics
Academic Years 2010-2014

Dissertation:

“Essays on economic analysis of competition law: theory and practice”

Chair of Economic Analysis of Competition Law
Supervisor: Prof. Emeritus Roberto Pardolesi

Ph.D. dissertation:

[PDF] www.danilosama.com/education/danilosama-phd-dissertation.pdf

[ZIP] www.danilosama.com/education/danilosama-phd-dissertation.zip

Ph.D. dissertation defence:

[PDF] www.danilosama.com/education/danilosama-phd-dissertation-defence.pdf

[ZIP] www.danilosama.com/education/danilosama-phd-dissertation-defence.zip

Courses:

- Advanced Microeconomics (Simone Maria Sepe)
- Competition Policy (Rudolph J.R. Peritz)
- Consumer Policy (Antonio Catricalà)
- Econometrics (Giuseppe Ragusa)
- Experimental Economics (Giovanni Ponti)
- Game Theory (Marco Spallone)
- Policies & Policymaking in the EU (Andrea Renda)
- Public Regulation (Giuliano Fonderico, Bernardo Giorgio Mattarella)

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Ph.D. | Toulouse School of Economics (France)

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Ph.D. Visiting Researcher in Quantitative Economics
(Econometrics & Industrial Organization)
Academic Year 2012-2013

Courses:

- Advanced Econometrics (Nour Meddahi)
- Applied Econometrics (Paul Seabright)
- Applied Econometrics for Competition & Networks (Marc Ivaldi)
- Applied Econometrics for Industrial Organization (Farid Gasmì)
- Advanced Industrial Organization I (Doh-Shin Jeon, Patrick Rey, Jean Tirole)
- Advanced Industrial Organization II (David Alary, Yassine Lefouili)
- Advanced Microeconomics I (Renato Gomes)
- Advanced Microeconomics II (Patrick Rey)
- Competition Policy Workshop (Bruno Jullien, Patrick Rey)

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Allée de Brienne 21
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Website: www.tse-fr.eu

Education

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Master | University of Hamburg (Germany)

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European Master in Economic Analysis of Law
Institute of Economic Analysis of Law
(one-year - 60 ECTS credit program)
Academic Year 2010-2011

Dissertation:

“The antitrust treatment of loyalty discounts and rebates in the EU competition law: in search of an economic approach and a theory of consumer harm”

Chair of Economic Analysis of Competition Law

Supervisor: Prof. Emeritus Dr Thomas Eger (University of Hamburg)

External examiner: Prof. Dr Elena Argentesi (University of Bologna)

Final grade: 54/60 points (3rd best thesis)

Master dissertation:

[PDF] www.danilosama.com/education/danilosama-master-dissertation.pdf

[ZIP] www.danilosama.com/education/danilosama-master-dissertation.zip

The paper was presented at:

- Competition Policy Workshop at the Toulouse School of Economics (France) in 2012
- Annual Conference of the Italian Society of Law & Economics at the University of Turin (Italy) in 2011

Courses:

- Economic Analysis of European law (Thomas Eger)
- Economic Analysis of International law (Stefan Voigt)

GPA (Grade Point Average): 8.35/10
(top 10% over 102 students)

University of Hamburg
Mittelweg 177
20148 Hamburg (Germany)
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Education

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Master | Ghent University (Belgium)

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European Master in Economic Analysis of Law
Centre for Advanced Studies in Economic Analysis of Law
(one-year - 60 ECTS credit program)
Academic Year 2010-2011

Dissertation:

“The antitrust treatment of loyalty discounts and rebates in the EU competition law: in search of an economic approach and a theory of consumer harm”

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The paper was presented at:

- Competition Policy Workshop at the Toulouse School of Economics (France) in 2012
- Annual Conference of the Italian Society of Law & Economics at the University of Turin (Italy) in 2011

Courses:

- Economic Analysis of Contract Law (Gerrit De Geest)
- Economic Analysis of Corporate Law (Christoph Van Der Elst)
- Economic Analysis of Environmental Law (Johan Albrecht)
- Economic Analysis of Property Law (Boudewijn Bouckaert)

GPA (Grade Point Average): 8.35/10
(top 10% over 102 students)

Ghent University
Sint-Pietersnieuwstraat 25
9000 Ghent (Belgium)
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Education

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Master | Erasmus Rotterdam University (The Netherlands)

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European Master in Economic Analysis of Law
Rotterdam Institute of Economic Analysis of Law
(one-year - 60 ECTS credit program)
Academic Year 2010-2011

Dissertation:

“The antitrust treatment of loyalty discounts and rebates in the EU competition law: in search of an economic approach and a theory of consumer harm”

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- Competition Policy Workshop at the Toulouse School of Economics (France) in 2012
- Annual Conference of the Italian Society of Law & Economics at the University of Turin (Italy) in 2011

Courses:

- Economic Analysis of Competition Law (Peter Camesasca, Roberto Pardolesi)
- Economic Analysis of Law I & II (Hila Nevo, Ann-Sophie Vandenberghe)
- Economic Analysis of Public Law (Alessandra Arcuri)
- Economic Analysis of Tort Law (Louis Visscher)

GPA (Grade Point Average): 8.35/10
(top 10% over 102 students)

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Education

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M.Sc. | LUISS “Guido Carli” University of Rome (Italy)

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M.Sc. Master of Science Degree in Economic Analysis of Law
(two-years - 120 ECTS credit program)
Faculty of Economics
Academic Years 2007-2009

Dissertation:

*“Competition and regulation in the electronic communications market:
significant market power & three criteria test”*

Chair of Economic Analysis of Competition Law
Supervisor: Prof. Emeritus Roberto Pardolesi

Final grade: 110/110 with honours (*summa cum laude*)

M.Sc. dissertation
(available upon request by e-mail)

Courses:

- Behavioural Economics & Game Theory (Anna Conte)
- Economic Analysis of Competition Law (Cristoforo Osti, Roberto Pardolesi)
- Economic Analysis of Financial Markets (Giuseppe Di Gaspare)
- Economic Analysis of Law (Andrea Renda)
- Economics of Competition & Regulation (Umberto Monarca)
- Economics of Contracts & Markets (Daniela Di Cagno)
- Economics of Energy (Andrea Bollino)
- Economics of Media (Giancarlo Leone)
- Economics of Strategy (Paolo Boccardelli)
- European Integration Policy (Massimiliano Di Pace)
- Industrial Organization (Cesare Pozzi)
- Intellectual Property Rights (Gustavo Ghidini)
- International Financial Institutions (Chiara Oldani)
- Technological Development (Francesco Del Monte)

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Education

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L.L.P. | Aarhus University - School of Business and Social Sciences (Denmark)

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L.L.P. Lifelong Learning Programme

European Commission - Directorate-General of Education and Culture

(period of study abroad for M.Sc. - Master of Science research activity and thesis preparation)

Academic Year 2008-2009

Courses:

- Cost-Benefit Analysis (Jan Børsen Bentzen)
- Economic Analysis of Law (Matthew Elsmore)
- Industrial Organization (Frederic Warzynski)
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B.Sc. Bachelor of Science in Economics
(three-years - 180 ECTS credit program)
Faculty of Economics
Academic Years 2003-2006

Dissertation:

*“The process of liberalization of gas natural market:
the antitrust judgement against ENI for abuse of dominant position”*

Chair of Industrial Organization
Supervisor: Sen. Prof. Emeritus Carlo Scognamiglio

Final grade: 110/110 with honours (*summa cum laude*)

B.Sc. dissertation
(available upon request by e-mail)

Courses:

- Accounting (Paolo Bastia)
- Business Administration (Fabrizio Di Lazzaro)
- Business Organization (Luca Giustiniano)
- Civil Law (Mario Bessone)
- Commercial Law (Raffaele Lener)
- Computer Science (Alessandro D’Atri)
- Corporate Finance (Fulvio Milano)
- Corporate Finance of International Enterprises (Maurizio Murgia)
- Economic Policy (Chiara Oldani)
- Economics & Management of Enterprises (Paolo Boccardelli)
- Economics & Management of International Enterprises (Marco Ferretti)
- Financial Mathematics (Giovanna De Medici)
- History of Enterprise & Business Organization (Giuseppe Di Taranto)
- Industrial Organization (Carlo Scognamiglio)
- Macroeconomics (Marcella Corsi)
- Marketing (Alberto Marcati)

- Mathematics (Alessandro Blasi)
- Microeconomics (Fabio Gobbo)
- Monetary Economics (Giorgio Di Giorgio)
- Public Finance (Giuliano Segre)
- Public Law (Claudio Rossano)
- Statistics (Ornello Vitali)
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- French Language (Odin Campestre)

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LUISS “Guido Carli” University of Rome (Italy)

Ph.D. Doctor of Philosophy in Economic Analysis of Competition Law

Faculty of Economics

Academic Years 2010-2014

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- Competition Policy (Rudolph J.R. Peritz)
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- Economic Analysis of International Law (Stefan Voigt)

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- Industrial Organization (Cesare Pozzi)
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- Technological Development (Francesco Del Monte)

Aarhus University – School of Business and Social Sciences (Denmark)

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(period of study abroad for M.Sc. - Master of Science research activity and thesis preparation)

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- Economic Analysis of Law (Matthew Elsmore)
- Industrial Organization (Frederic Warzynski)
- International Business Methods (Kurt Pedersen)
- Business English (Else Warberg)

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B.Sc. Bachelor of Science in Economics

(three-years - 180 ECTS credit program)

Faculty of Economics

Academic Year 2003-2006

- Accounting (Paolo Bastia)
- Business Administration (Fabrizio Di Lazzaro)
- Business Organization (Luca Giustiniano)
- Civil Law (Mario Bessone)
- Commercial Law (Raffaele Lener)
- Computer Science (Alessandro D’Atri)
- Corporate Finance (Fulvio Milano)
- Corporate Finance of International Enterprises (Maurizio Murgia)
- Economic Policy (Chiara Oldani)
- Economics & Management of Enterprises (Paolo Boccardelli)
- Economics & Management of International Enterprises (Marco Ferretti)
- Financial Mathematics (Giovanna De Medici)
- History of Enterprise & Business Organization (Giuseppe Di Taranto)
- Industrial Organization (Carlo Scognamiglio)
- Macroeconomics (Marcella Corsi)
- Marketing (Alberto Marcati)
- Mathematics (Alessandro Blasi)
- Microeconomics (Fabio Gobbo)
- Monetary Economics (Giorgio Di Giorgio)
- Public Finance (Giuliano Segre)
- Public Law (Claudio Rossano)
- Statistics (Ornello Vitali)
- English Language (Anne Lucas)
- French Language (Odin Campestre)

Research

www.danilosama.com/research

Books

www.danilosama.com/research/books

Cartel detection and collusion screening: an empirical analysis of the London Metal Exchange

Author:

Dr Danilo Samà (CDC Cartel Damage Claims, Law & Economics LAB)

Abstract:

In order to fight collusive behaviours, the best scenario for competition authorities would be the possibility to analyse detailed information on firms' costs and prices, being the price-cost margin a robust indicator of market power. However, information on firms' costs is rarely available. In this context, a fascinating technique to detect data manipulation and rigged prices is offered by an odd phenomenon called Benford's Law, otherwise known as First-Digit Law, which has been successfully employed to discover the "Libor Scandal" much time before the opening of the cartel settlement procedure. Thus, the main objective of the present paper is to apply a such useful instrument to track the price of the aluminium traded on the London Metal Exchange, following the allegations according to which there would be an aluminium cartel behind. As a result, quick tests such as Benford's Law can only be helpful to inspect markets where price patterns show signs of collusion. Given the budget constraints to which antitrust watchdogs are commonly subject to, a such price screen could be set up, just exploiting the data available, as warning system to identify cases that require further investigations.

Keywords:

Benford's law, cartel detection, collusion screening, competition authorities, data manipulation, monopolization, oligopolistic markets, price fixing, variance screen

JEL classification:

C10; D40; L13; L41

Year:

2016

Pages:

203-212

Citation:

Samà, Danilo (2016), *Cartel detection and collusion screening: an empirical analysis of the London Metal Exchange*, in Kovač, Mitja, Vandenberghe, Ann-Sophie (eds.), *Economic evidence in EU competition law*, European Studies in Law and Economics, Vol. 18, Intersentia Ltd., Cambridge, United Kingdom, pp. 203-212.

D.O.I.:

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[WWW] <https://doi.org/10.1017/9781780687407.012>

Table of contents

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Chapter

[PDF] www.danilosama.com/research/book-economic-evidence-in-eu-competition-law-cartel-detection-and-collusion-screening.pdf

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Information online

[WWW] <http://intersentia.com/en/shop/academisch/economic-evidence-in-eu-competition-law.html>

Book title:

Economic evidence in EU competition law

Editors:

Prof. Dr Mitja Kovač, LL.M. (University of Ljubljana, Slovenia)

Prof. Dr Ann-Sophie Vandenberghe (Erasmus University Rotterdam, The Netherlands)

Year:

2016

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Description

The use of economic theory and economic evidence in competition cases, their appropriate interpretation, meaning, impact, usefulness and validity are among the most challenging issues that judges and legal practitioners are facing in their daily decision-making. Notorious questions of, for example, how courts, practitioners and other decision-making bodies should employ economic evidence and what weight (and credibility) should be attached to such evidence where different experts offer different suggestions are among the most complex ones. This book, while addressing such questions, provides tools for judges, scholars and legal practitioners to employ economic evidence in a more effective, optimal and predictable way so as to overcome the identified, EU-wide obstacles in enforcing current EU competition law.

This edited volume addresses the importance, implications, practices, problems and the role of economic evidence in EU competition law. It includes contributions on the use of the economic approach in the application and enforcement of EU competition law in different EU countries, candidate member states and third countries.

The book features scholars who are experts in the field of competition law and economics as well as several of the most prominent European judges who provide first-hand information on the use of economic evidence in practice. The book is not limited to a particular subfield of competition law, but covers the area of competition law at large, including state aid. This reflects the fact that also the European Commission has gradually expanded the application of the economic approach to all areas of competition law.

Reviews

«What role does economics play in cases of competition law? What role could it play? And what role should it play? But do scholarly experts and judges agree on these viewpoints? In this book an impressive variety of topics is covered and surprising insights are gained. Thus it really covers recent and partly controversial developments in the EU regarding the handling of competition law cases on a national as well as an EU level – something experts in the field must not miss».

Prof. Dr Wolfgang Weigel (University of Vienna)

«Economics is the study of scarcity. Law is the study of rights. Unfortunately, law and economics scholarship that is practical and focused on problems from the courtroom is scarce. This volume makes it right. It combines the legal experience of experts and judges in several European countries and the rigor of economics. The result is an indispensable tool for anyone interested in EU competition law».

Prof. Dr Shai Dothan, LL.M. (University of Copenhagen)

«The rapid growth and increasing importance of EU competition law have thrown up, in a context of decentralised interpretation and enforcement, questions of the extent to which economic theory and evidence should be employed by national authorities. This rich collection of essays provides diverse but also fascinating answers to those questions, ranging from the practical and pragmatic to the speculative and theoretical. It is all the more valuable because the authors are drawn from the judiciary as well as the academic world. Clearly the book is essential reading for all concerned with EU competition law».

Prof. Dr Anthony Ogus (University of Manchester and Erasmus University Rotterdam)

Research

www.danilosama.com/research

Books

www.danilosama.com/research/books

Is competition policy useful for emerging countries? An empirical analysis

Author:

Prof. Emeritus Roberto Pardolesi (LUISS “Guido Carli” University of Rome, Law & Economics LAB)

Dr Danilo Samà (CDC Cartel Damage Claims, Law & Economics LAB)

Abstract:

The ultimate objective of the paper is to empirically investigate the effectiveness of competition policy in emerging countries, focusing on broader indicators of market performance in order to understand whether the presence of an antitrust authority has a significant impact, hence an effective utility, on the level of competition of a developing country. From a policy perspective, the aim of the paper is also to assess whether the enforcement of a competition policy regime in a developing country has the same beneficial effects on the intensity of competition usually claimed to take place in the most developed countries. Relying upon a dataset and the connected econometric model developed by one of the authors, we provisionally conclude that in developing countries the institutional quality of the competition authorities matters more than the mere existence or the degree of competence for the effectiveness of a competition policy regime.

Keywords:

competition authorities, competition policy, developing countries, economic development, economic growth, law & economics, market concentration, market efficiency, market performance, new institutional economics, political economy

JEL classification:

C21; C26; K21; L40

Year:

2015

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Prof. Dr Giuseppe Bellantuono (University of Trento, Italy)

Prof. Fabiano Teodoro de Rezende Lara (Universidade Federal de Minas Gerais, Brazil)

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This book deals with one strand of the intense debate concerning the links between law and development, namely the coordination of innovation processes and legal change. It analyses how innovation, and ultimately development, can be fostered or hindered by existing or new legal infrastructures.

The book includes eleven original contributions from senior and junior scholars and is divided into two parts, the first focusing on theoretical frameworks and the second presenting several case studies on various institutional aspects. A particular strength of this part is its broad geographical coverage, which encompasses the legal frameworks in Europe, the Americas, Africa, and Asia.

The contributions collected in this book will be of value to a broad readership. Academic scholars will find useful information on lessons learned from reforms implemented in different areas and come to better understand the methodological hurdles involved in reform assessment. Policymakers in national and international organizations can draw on these studies when designing new programs. Lastly, practitioners in developed and developing countries can use these contributions to promote the success of current or new initiatives.

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Books

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Essays on economic analysis of competition law: theory and practice

Author:

Dr Danilo Samà (LUISS “Guido Carli” University of Rome, Law & Economics LAB)

Abstract:

The Ph.D. dissertation, submitted to LUISS “Guido Carli” University of Rome in fulfillment of the requirements for the Degree of Doctor of Philosophy in Economic Analysis of Competition Law (XXV cycle), is the result of a scientific research in the field of the economic analysis of competition law developed through academic experiences at the Erasmus Rotterdam University in the Netherlands, the Ghent University in Belgium, the University of Hamburg in Germany and the Toulouse School of Economics in France, as well as through professional experiences as competition economist at the Antitrust Department of Pavia & Ansaldo and the Directorate-General for Competition (DG COMP) of the European Commission.

Keywords:

antitrust, competition economics, competition law, competition policy

JEL classification:

B21; C01; K21; L00; L4

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Ph.D. dissertation

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Ph.D. dissertation defence

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Essays on economic analysis of competition law: theory and practice

LUISS “Guido Carli” University of Rome (Italy)
Ph.D. Doctor of Philosophy in Economic analysis of competition law
Faculty of Economics
Academic Years 2010-2014

Chair of Economic Analysis of Competition Law
Supervisor: Prof. Emeritus Roberto Pardolesi

Ph.D. dissertation
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Ph.D. dissertation defence
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The antitrust treatment of loyalty discounts and rebates in the EU competition law: in search of an economic approach and a theory of consumer harm

University of Hamburg (Germany)
Ghent University (Belgium)
Erasmus Rotterdam University (The Netherlands)
European Master in Economic Analysis of Law
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Academic Year 2010-2011

Chair of Economic Analysis of Competition Law
Supervisor: Prof. Emeritus Dr Thomas Eger (University of Hamburg)
External examiner: Prof. Dr Elena Argentesi (University of Bologna)
Final grade: 54/60 points (3rd best thesis)

Master dissertation
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***Competition and regulation in the electronic communications market:
significant market power & three criteria test***

LUISS “Guido Carli” University of Rome (Italy)
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Academic Years 2007-2009

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Final grade: 110/110 with honours (*summa cum laude*)

M.Sc. dissertation
(*available upon request by e-mail*)

***The process of liberalization of gas natural market:
the antitrust judgement against ENI for abuse of dominant position***

LUISS “Guido Carli” University of Rome (Italy)
B.Sc. Bachelor of Science in Economics
(three-years - 180 ECTS credit program)
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Academic Years 2003-2006

Chair of Industrial Organization
Supervisor: Sen. Prof. Emeritus Carlo Scognamiglio
Final grade: 110/110 with honours (*summa cum laude*)

B.Sc. dissertation
(*available upon request by e-mail*)

Research

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State aid: main developments

Author:

Ms Alessandra Forzano (European Commission)
Dr Danilo Samà (European Commission)

Editor:

Competition Policy Newsletter
European Commission
Directorate-General for Competition (DG COMP)

Keywords:

competition policy, EU case-law, state aids

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The Italian Competition Authority fines three operators in the Southern Italian electric market for undertaking a concerted practice aimed at sharing the market for certain dispatch services (Repower Italy dispatch price)

Author:

Dr Giacomo Luchetta (CEPS - Centre for European Policy Studies)

Dr Danilo Samà (European Commission)

Editor:

Institute of Competition Law (e-Competitions - no. 48229)

Keywords:

anti-competitive agreement, association of undertakings, bid rigging, cartel, geographic market, hardcore restriction, limitation of supply, market definition, market sharing, objective justification, price coordination

JEL classification:

K21; L44

Year:

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Pages:

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Citation:

Luchetta, Giacomo, Samà, Danilo (2012), *The Italian Competition Authority fines three operators in the Southern Italian electric market for undertaking a concerted practice aimed at sharing the market for certain dispatch services (Repower Italy dispatch price)*, Institute of Competition Law, e-Competitions - no. 48229 Paris, France, New York, United States, London, United Kingdom, pp. 1-3.

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The Regional Administrative Court of Lazio confirms a fine imposed by the Italian NCA against the construction market leader for abuse of dominant position in the plasterboard market (Mercato del cartongesso - Saint-Gobain)

Author:

Dr Giacomo Luchetta (CEPS - Centre for European Policy Studies)

Dr Danilo Samà (European Commission)

Editor:

Institute of Competition Law (e-Competitions - no. 45898)

Keywords:

abuse of dominance, barriers to entry, dominance, essential facility, geographic market, market definition, market power, relevant market, remedies, unilateral practices

JEL classification:

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Luchetta, Giacomo, Samà, Danilo (2011), *The Regional Administrative Court of Lazio confirms a fine imposed by the Italian NCA against the construction market leader for abuse of dominant position in the plasterboard market (Mercato del cartongesso - Saint-Gobain)*, Institute of Competition Law, e-Competitions - no. 45898, Paris, France, New York, United States, London, United Kingdom, pp. 1-3.

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Cartel detection and collusion screening: an empirical analysis of the London Metal Exchange

Author:

Dr Danilo Samà (LUISS “Guido Carli” University, Law & Economics LAB)

Abstract:

In order to fight collusive behaviours, the best scenario for competition authorities would be the possibility to analyse detailed information on firms’ costs and prices, being the price-cost margin a robust indicator of market power. However, information on firms’ costs is rarely available. In this context, a fascinating technique to detect data manipulation and rigged prices is offered by an odd phenomenon called Benford’s law, otherwise known as First-digit law, which has been successfully employed to discover the “Libor scandal” much time before the opening of the cartel settlement procedure. Thus, the main objective of the present paper is to apply a such useful instrument to track the price of the aluminium traded on the London Metal Exchange, following the allegations according to which there would be an aluminium cartel behind. As a result, quick tests such as Benford’s law can only be helpful to inspect markets where price patterns show signs of collusion. Given the budget constraints to which antitrust watchdogs are commonly subject to, a such price screen could be set up, just exploiting the data available, as warning system to identify cases that require further investigations.

Keywords:

Benford’s law, cartel detection, collusion screening, competition authorities, data manipulation, monopolization, oligopolistic markets, price fixing, variance screen

JEL classification:

C10; D40; L13; L41

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*The effectiveness of competition policy:
an econometric assessment in developed and developing countries*

Author:

Dr Danilo Samà (LUISS “Guido Carli” University, Law & Economics LAB)

Abstract:

The ultimate objective of the present paper is to empirically investigate the effectiveness of competition policy in developed and developing countries. Although its importance is continuously increasing, the effectiveness of competition policy still seems to lack the attention that it would deserve. At the present state of art, the number of academic contributions that attempts to estimate its impact on relevant economic variables appears very limited, in particular for the less developed countries. However, an empirical literature aimed at measuring in objective terms the effect of competition policy on economic growth is emerging, starting from narrow variables of interest, such as Gross Domestic Product and Total Factor Productivity. As a result, the principal aim of the current work is to contribute to this branch of research, focusing on broader indicators of market performance, in order to understand whether the presence of an antitrust authority has a significant impact, thus an effective utility, on the level of competition of a country.

Keywords:

competition authorities, competition policy, developed countries, developing countries, economic development, economic growth, law & economics, market concentration, market efficiency, market performance, new institutional economics, political economy

JEL classification:

C21; C26; K21; L40

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Citation:

Samà, Danilo (2013), *The effectiveness of competition policy: an econometric assessment in developed and developing countries*, Law & Economics LAB, LUISS “Guido Carli” University, Rome, Italy, pp. 1-50.

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*The antitrust treatment of loyalty discounts and rebates in the EU competition law:
in search of an economic approach and a theory of consumer harm*

Author:

Dr Danilo Samà (LUISS “Guido Carli” University, Law & Economics LAB)

Abstract:

In the paper, the fundamental question is under what conditions loyalty discounts and rebates adopted by a dominant firm cause anti-competitive effects. Fidelity schemes, although extremely frequent in the market, if applied by a dominant firm, are likely to be judged as illegal per se, as demonstrated by the EU case-law delivered so far and the severe scrutiny reserved by the national competition authorities. As a result, the paper first provides an analytical overview of loyalty structures, focusing in particular on retroactive rebates, and elaborates on important economic implications, such as the lock-in and the suction effect. The work then discusses the novelties introduced by the Guidance Paper on the Application of Art. 102 of the TFEU, which calls for an effects-based analysis of exclusionary abuses. Therefore, after an in-depth evaluation of the as-efficient competitor test, the new approach of the European Commission towards loyalty discounts and rebates is discussed in detail with reference to a controversial antitrust case recently examined at EU level (*Tomra*). The paper finally proposes a systematic economic framework for analysing the effects, and therefore the legality, of fidelity schemes, in the light of a consistent theory of consumer harm.

Keywords:

competition authorities, competition policy, developed countries, developing countries, economic development, economic growth, law & economics, market concentration, market efficiency, market performance, new institutional economics, political economy

JEL classification:

C21; C26; K21; L40

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Citation:

Samà, Danilo (2013), *The effectiveness of competition policy: an econometric assessment in developed and developing countries*, Law & Economics LAB, LUISS “Guido Carli” University, Rome, Italy, pp. 1-50.

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The relationship between common management and ecotourism regulation: tragedy or triumph of the commons? A Law & Economics answer

Author:

Dr Danilo Samà (LUISS “Guido Carli” University, Law & Economics LAB)

Abstract:

Since its origin, ecotourism development has been at the centre of controversial and heated debates within the environmental and scientific society. On one hand, it has been considered as a model of responsible and sustainable tourism with the capacity to guarantee the conservation of the current biodiversity level and cultural identity, to educate the tourists about preservation and to improve the economic activity and the standard of living of the populations affected. On the other hand, it has been criticized for actually being a mere instrument in the hands of capitalist and western firms to commercially exploit the natural resources available in the less developed countries. Thus, are the ecotourism projects more likely to be profitable and successful in territories where the common resources are controlled by the state or managed by private firms? Considered the most frequent and spontaneous solution noticed in the ordinary daily life of the emerging countries, meaning natural resources owned communally by local institutions, does ecotourism impede or reinforce this management function of coordinating and controlling? The empirical researches conducted in literature tried to answer to some of the above-mentioned questions and offered the opportunity for a Law and Economics assessment of the problem related to the common-pool resources.

Keywords:

common-pool resources, commons management, development, ecology, environment, governance, property rights, regulation, sustainability, tragedy of the commons

JEL classification:

K11; K32; Q57

Year:

2011

Pages:

78-81

Citation:

Samà, Danilo (2011), *The relationship between common management and ecotourism regulation: tragedy or triumph of the commons? A Law & Economics answer*, Journal of Advanced Research in Law and Economics, ASERS, Vol. 2, N. 1, pp. 78-81.

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Competition policy, cartel enforcement and leniency program

Author:

Dr Danilo Samà (LUISS “Guido Carli” University)

Abstract:

The present assessment focuses on the antitrust action in detecting and fighting oligopolistic collusion, analysing the development of the innovative and modern leniency policy. Following the examination of the main conditions and reasons for cartel stability and sustainability, our attempt is to comprehend under which circumstances leniency program represents a functional and successful tool for preventing the formation of anti-competitive agreements.

Keywords:

cartels enforcement, competition policy, game theory, leniency program, oligopolistic markets

JEL classification:

C70; K21; L13

Year:

2008

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1-12

Citation:

Samà, Danilo (2008), *Competition policy, cartel enforcement and leniency program*, LUISS “Guido Carli” University, Rome, Italy, pp. 1-12.

Paper:

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Sconti fedeltà tra approccio economico e danno per il consumatore

Author:

Dr Danilo Samà (LUISS “Guido Carli” University, Law & Economics LAB)

Abstract:

L'articolo si propone di comprendere in base a quali condizioni sconti fedeltà adottati da un'impresa dominante comportino effetti anticoncorrenziali. Gli schemi fidelizzanti, infatti, sebbene estremamente frequenti nelle transazioni di mercato, qualora applicati da un'impresa dominante, rischiano di essere giudicati illeciti per sé, come comprovato dalla casistica giurisprudenziale finora emersa a livello europeo e dal severo scrutinio riservato delle autorità nazionali della concorrenza. Il lavoro dapprima fornisce una panoramica analitica delle pratiche fidelizzanti, concentrando in particolare l'attenzione sugli sconti retroattivi, ed approfondisce importanti implicazioni economiche, come gli effetti *lock-in* e *suction*. Successivamente vengono discusse le novità introdotte dalle linee guida per l'applicazione dell'Art. 102 TFUE, le quali richiedono un'analisi concreta degli effetti di mercato delle condotte escludenti. Alla luce di un estensivo studio dell'*as-efficient competitor test*, il nuovo approccio della Commissione Europea verso gli sconti fedeltà viene analizzato in dettaglio con riferimento ad un caso antitrust recentemente esaminato a livello europeo (*Tomra*). In conclusione, viene sviluppato un approccio economico per l'analisi degli effetti, e dunque della legalità, degli schemi fidelizzanti, in conformità con una coerente teoria del danno per il consumatore.

Keywords:

sconti fedeltà, abuso di posizione dominante, contratti di esclusiva, monopolizzazione, prezzi non lineari, prezzi predatori, teoria del danno, test del concorrente altrettanto efficiente, Tomra

JEL classification:

K21; L12; L42

Journal:

Mercato Concorrenza Regole

Editor:

Il Mulino (Bologna, Italy)

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Citation:

Samà, Danilo (2013), *Sconti fedeltà tra approccio economico e danno per il consumatore*, Mercato Concorrenza Regole, Vol. XV, N. 2, Il Mulino, Bologna, Italy, pp. 237-266.

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10.1434/74504

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La valutazione antitrust degli sconti fedeltà nel diritto della concorrenza europeo: alla ricerca di un approccio economico e di una teoria del danno per il consumatore

Author:

Dr Danilo Samà (LUISS “Guido Carli” University, Law & Economics LAB)

Abstract:

L'articolo si propone di comprendere in base a quali condizioni sconti fedeltà adottati da un'impresa dominante comportino effetti anticoncorrenziali. Gli schemi fidelizzanti, infatti, sebbene estremamente frequenti nelle transazioni di mercato, qualora applicati da un'impresa dominante, rischiano di essere giudicati illeciti per sé, come comprovato dalla casistica giurisprudenziale finora emersa a livello europeo e dal severo scrutinio riservato delle autorità nazionali della concorrenza. Il lavoro dapprima fornisce una panoramica analitica delle pratiche fidelizzanti, concentrando in particolare l'attenzione sugli sconti retroattivi, ed approfondisce importanti implicazioni economiche, come gli effetti *lock-in* e *suction*. Successivamente vengono discusse le novità introdotte dalle linee guida per l'applicazione dell'Art. 102 TFUE, le quali richiedono un'analisi concreta degli effetti di mercato delle condotte escludenti. Alla luce di un estensivo studio dell'*as-efficient competitor test*, il nuovo approccio della Commissione Europea verso gli sconti fedeltà viene analizzato in dettaglio con riferimento ad un caso antitrust recentemente esaminato a livello europeo (*Tomra*). In conclusione, viene sviluppato un approccio economico per l'analisi degli effetti, e dunque della legalità, degli schemi fidelizzanti, in conformità con una coerente teoria del danno per il consumatore.

Keywords:

sconti fedeltà, abuso di posizione dominante, contratti di esclusiva, monopolizzazione, prezzi non lineari, prezzi predatori, teoria del danno, test del concorrente altrettanto efficiente, Tomra

JEL classification:

K21; L12; L42

Year:

2012

Pages:

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Citation:

Samà, Danilo (2012), *La valutazione antitrust degli sconti fedeltà nel diritto della concorrenza europeo: alla ricerca di un approccio economico e di una teoria del danno per il consumatore*, Law & Economics LAB, LUISS “Guido Carli” University, Rome, Italy, pp. 1-45.

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“Per rientrare c’è sempre tempo, non per partire”: la storia europea di Danilo Samà, economista antitrust, con un *traineeship* presso la Commissione europea, interview by Ilaria Mariotti for Repubblica degli Stagisti (www.repubblicadeglistagisti.it), 6 August 2014, Milan, Italy.

Classe 1984, cresciuto nella zona dei Castelli Romani, con un poster de *Il Principe* Giuseppe Giannini in camera. Conseguita la maturità scientifica, giunge il fatidico momento del proverbio dei giorni nostri “*anche l’impiegato vuole il figlio dottore*”. La scelta ricade sull’Università LUISS “Guido Carli” di Roma, un’opportunità prestigiosa per il futuro ed unico laureato della famiglia. Mentre combatto ogni giorno contro TrenItalia per rientrare a casa, tra un vagone e l’altro cerco di comprendere se quella della facoltà di economia fosse stata la scelta giusta (anche perché, diciamoci la verità, a diciott’anni non è facile capire quale percorso intraprendere, a maggior ragione se prevede un investimento finanziario considerevole a carico dei propri genitori). Fino a quando, durante la laurea triennale, non rimango folgorato dalle lezioni di economia politica del Prof. Carlo Scognamiglio sul pensiero liberale e sulla politica della concorrenza. Per la laurea magistrale, invece, ho avuto la fortuna di ritrovarmi in casa uno dei pochi corsi di specializzazione italiani in concorrenza e regolamentazione diretto da un luminaire della materia quale il Prof. Roberto Pardolesi, durante il quale svolgo un periodo di scambio di sei mesi presso l’Aarhus School of Business and Social Sciences in Danimarca nel 2008 (l’inglese, è inutile ribadirlo, si impara soltanto andando all’estero). Alle due lauree discusse rispettivamente nel 2006 e nel 2009, entrambi con lode, fanno seguito una collaborazione professionale di un anno tra il 2009 ed il 2010 come consulente economico presso il dipartimento antitrust di Pavia & Ansaldo, studio legale italiano di caratura internazionale (per la quale percepisco un salario netto di circa 1.000 euro), l’iscrizione ad un dottorato di ricerca in analisi economica del diritto della concorrenza sempre presso l’Università LUISS, nell’ambito del quale frequento un master itinerante con borsa di studio dell’Unione europea presso le Università di Rotterdam nei Paesi Bassi, di Gand in Belgio e di Amburgo in Germania tra il 2010 ed il 2011. Nel corso del dottorato di ricerca, tuttavia, avverto l’esigenza di ritornare estemporaneamente sul campo professionale per meglio comprendere su quali problemi e tematiche concentrare l’attività di ricerca. Un’esperienza presso la Commissione europea non poteva che essere occasione migliore.

La Commissione europea offre la possibilità di svolgere un *traineeship* presso una delle diverse Direzioni generali situate a Bruxelles (sebbene in realtà vi sia altresì la possibilità di effettuare periodi di formazione presso il Parlamento europeo, così come presso altre agenzie ed istituzioni europee, non necessariamente con base Bruxelles). Se consideriamo la Commissione europea come il governo dell’Unione europea, allora le Direzioni generali possono esserne reputati i ministeri. Il praticantato, dalla durata di cinque mesi, può essere svolto in una sessione invernale (da ottobre a febbraio) oppure in una sessione estiva (da marzo a luglio). Il processo di selezione avviene secondo le seguenti fasi. Nella prima fase è necessario fare domanda ed inviare il proprio curriculum vitae seguendo le istruzioni presenti sul sito internet www.ec.europa.eu/stages. Nella seconda fase, gli uffici del personale procedono con una scrematura dei candidati su base curriculare. Se preselezionato, il candidato entrerà a far parte della lista cd. *blue-book*. I funzionari della Commissione europea avranno allora modo di visionare i profili dei candidati preselezionati, e nel caso interessati, contatteranno il candidato per un colloquio telefonico. In realtà, la prassi vuole che i candidati, una volta ricevuta la comunicazione d’ammissione alla lista *blue-book*, si adoperino all’istante contattando tutti gli uffici in cui vorrebbero svolgere il proprio praticantato, facendo presente di esser stati preselezionati e manifestando la volontà di lavorare presso l’ufficio di turno.

Da notare come i tempi che intercorrono dalla comunicazione dell'inserimento nella lista *blue-book* alle interviste telefoniche siano pressoché rapidissimi, ragion per cui conviene preparare *pro tempore*, ovvero ancor prima della pubblicazione della lista *blue-book*, le e-mail da inviare ai funzionari, stilando un elenco di tutti gli uffici a cui si è interessati. Ai miei tempi, al momento dell'*application*, era prevista la possibilità di esprimere tre preferenze per la Direzione generale per cui si faceva domanda di praticantato. Allo stato attuale, a quanto mi risulta, viene invece richiesto di esprimere una preferenza rispetto ad una lista di tipologie di lavoro. Pertanto, non è possibile più esprimere la preferenza verso una particolare Direzione generale, motivo per cui suggerirei di far capire nella domanda stessa per quale Direzione generale si è in possesso di competenze adeguate. In generale, la selezione è piuttosto serrata. Le statistiche relative al praticantato da me svolto parlano abbastanza chiaro: 639 *trainee* su un totale di 10.424 domande (i.e. 6%), 72 *trainee* italiani su un totale di 2.982 domande (i.e. 2%). La comunità italiana è una delle più consistenti, sia per via della ripartizione dei posti di lavoro nelle istituzioni europee tra i paesi membri su base proporzionale, sia per i motivi che purtroppo noi tutti conosciamo. Il livello di formazione dei *trainee* è particolarmente elevato, contraddistinta da un'educazione accademica in università prestigiose e da esperienze professionali in ambito internazionale. Lo stipendio mensile, esentasse e netto, è di circa 1.000 euro, somma più che sufficiente per vivere in una capitale europea come Bruxelles.

In particolare, il praticantato da me svolto è avvenuto tra il 2011 ed il 2012 nella Direzione generale per la concorrenza, ovvero l'autorità antitrust europea, nel campo degli aiuti stato. Personalmente, il rapporto con i colleghi di lavoro è stato eccellente. Mostrato fin da subito il mio interesse a lavorare su casi in cui vi fosse esigenza di complesse analisi economiche, son stato chiamato in causa ogniqualvolta ve ne fosse la possibilità. Particolarmente formativa, inoltre, è stata l'opportunità di poter lavorare ed essere quotidianamente in contatto con i membri dello Chief Economist Team. Proprio alla luce di continue conversazioni avute con economisti antitrust dalle esperienze significative sia in campo accademico che professionale, è maturata in me la scelta di concentrare l'attività di ricerca verso tecniche econometriche e quantitative attraverso un *visiting period* di un anno presso la Toulouse School of Economics in Francia, che ho intrapreso subito dopo aver concluso il praticantato presso DG COMP. Concluso il dottorato di ricerca, attualmente sto svolgendo una serie di colloqui tra Bruxelles, Londra e Parigi per posizioni di *competition economist* presso autorità antitrust, centri di ricerca e società di consulenza economica specializzate in politica della concorrenza.

In generale, dunque, mi sento di consigliare l'esperienza del *traineeship* presso una qualsiasi istituzione europea, a condizione però che si abbia un interesse specifico verso una materia che si vuole approfondire per motivi di ricerca (perché si ha così modo di toccare con mano temi che in università rimangono sovente astratti) o per scopi professionali (perché i datori di lavoro attivi in contesti internazionali la considerano spesso come un prerequisito). Quanto invece all'idea di intraprendere un dottorato di ricerca, a mio modo di vedere, il discorso è più complesso. A meno che non si desideri rimanere in accademia (ove oramai è un requisito imprescindibile), investire ulteriori tre o più anni di studio è una scelta che va valutata attentamente. Non tutti i tipi di lavoro richiedono una formazione teorica avanzata, spesso è preferibile anticipare l'esperienza pratica sul campo. Pertanto, la domanda che andrebbe rivolta a sé stessi è "*per quello che vorrei fare nella vita, è richiesto un dottorato di ricerca?*". In Italia, inoltre, un dottorato di ricerca non viene valorizzato come all'estero, dove al contrario viene considerato come un lavoro a tutti gli effetti, a conclusione del quale è possibile già ricevere offerte di lavoro a tempo indeterminato. Quanto invece alle modalità, è innegabile che più si trascorrono periodi all'estero, più se ne traggono benefici nel lungo termine. In altri termini e lontano da qualsiasi esterofilia, mi ritrovo spesso a dire che per rientrare c'è sempre tempo, non per partire.

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Dr Danilo Samà has been working as Senior Competition Economist at CDC Cartel Damage Claims in Paris since 2021, where is office manager, case manager, and responsible for the economic analysis, econometric assessment and damage quantification. In his role, he has gained extensive experience in all phases of damage litigation, working on economic issues concerning some of the largest antitrust cases in Europe. His expertise ranges from the development of theories of harm in relation to markets affected by cartels, the design of architectures for the collection of data provided by damaged companies, to the quantification of damages in and out-of-court. In his daily activities, he is in contact with the CDC's network of renowned academic experts in the fields of econometrics and industrial organisation. Furthermore, he serves the French and Italian markets as a primary contact for damaged companies and law firms. Over the years, he has contributed to pioneering innovations in private antitrust enforcement such as the CDC's interest calculation tool. He joined CDC in Brussels in 2014.

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Traineeship selection

- 639 total trainees over 10,424 total applications, *i.e.* 6%
- 72 Italian trainees over 2,982 Italian applications, *i.e.* 2%

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- Abuses of dominant position
 - [IT] A/383 *Plasterboard market*
 - [IT] A/417 *T-Link / Grandi Navi Veloci*

- Cartels & Damage actions
 - [EU] 39.181 *Candle waxes*
 - [EU] 38.620 *Hydrogen peroxide*
 - [EU] 38.695 *Sodium chlorate*
 - [EU] 39.824 *Trucks*
 - [DE] B2-36/09 *Sugar*
 - [IT] I/70 *Retail sale of cosmetic products*

- Mergers
 - [EU] M.6286 *Südzucker / ED&F Man*
 - [EU] M.5737 *Saint-Gobain Vetri - Zignago Vetro - Ardagh Glass / Ecosud*
 - [IT] C.10344 *IBSA Farmaceutici / Bouty Healthcare*
 - [IT] C.10458 *Saint-Gobain Technical Fabrics America / New York Wire*
 - [IT] C.10542 *Saint-Gobain Vetri - Zignago Vetro - Ardagh Glass / Ecosud*

- State aids
 - [EU] SA.28356 *Habidite Alonsotegi*
 - [EU] SA.27913 *Audi Hungaria Motor Ltd*
 - [EU] SA.31550 *Nürburgring*
 - [EU] SA.33707 *Revoz d.d.*
 - [EU] SA.33256 *UK fiscal devolutions*

- Policy projects

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European Commission (2011), *Commission staff working paper: Elements for an EU space industrial policy*, Brussels, Belgium.

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Law & Economics LAB

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Created in 2003, Law & Economics LAB (L&E LAB) promotes the research and teaching of economic analysis of law, stimulating the debate on the prospective application of such interdisciplinary approach to a wide number of topics, ranging from competition policy to intellectual property protection, from the economic analysis of civil law to the regulation of high-tech markets. L&E LAB is not entirely a brand-new entity: our research staff includes lawyers and economists with significant experience both from an academic and a professional standpoint.

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The Italian Antitrust Association (*Associazione Antitrust Italiana*) promotes the study and discussion of the most relevant developments on the subject. It prepares proposals and discussion documents on the most important issues, also in order to submit them to the Italian Competition Authority, the European Commission and other relevant public and private institutions and bodies. It also promotes the dissemination of the culture of competition and consumer protection through the organization of conferences, seminars, debates, cultural events, editorial initiatives, competition talks and workshops.

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Competition Policy News

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Although its importance is continuously increasing, competition policy still seems to lack the attention it deserves. The ultimate object of Competition Policy News is therefore to contribute to the knowledge of this academic and professional field. The concept is straightforward: to exploit the powers offered by the social network Twitter, in order to offer instant updates with all latest news worldwide concerning competition policy which are released by authorities, economists, lawyers and universities.

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Journal of European Competition Law & Practice

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The Competition Law Review

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