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A GNLU CENTRE FOR LAW AND TECHNOLOGY INITIATIVE

Monthly Newsletter - TechTalk



Gujarat National Law University



Welcome to the GNLU Centre for Law and Technology Newsletter! Serving as the conduit to the dynamic intersection of science, technology, and the law, our mission is to provide updates on the latest developments, promote academic excellence, and empower legal professionals to navigate this ever-evolving landscape. Join us in bridging the gap between these crucial fields and shaping the future of legal practice in our interconnected world.

↓ Enclosed in this newsletter are the following highlights:

Updates on law and technology, showcasing the latest developments in this ever-evolving field. Our curated content might just spark your next research topic idea. Stay informed and stay inspired and keep reading!

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LEGAL BATTLE ENSUES AS US FTC SEEKS TO HALT MICROSOFT'S \$69 BILLION ACQUISITION OF ACTIVISION BLIZZARD

The US Federal Trade Commission (FTC) has intensified its efforts to block Microsoft's acquisition of Activision Blizzard, a deal valued at \$69 billion. The FTC has raised concerns about potential antitrust violations, arguing that the merger could grant Microsoft exclusive access to Activision's games, limiting competition in the video game industry. Microsoft and Activision had initially planned to close the deal by Friday, prompting the FTC to request a temporary restraining order from a federal judge, aiming to delay the acquisition until the government's antitrust case is heard. The FTC contends that the merged company could manipulate Activision's content, impacting competition and potentially compromising sensitive business information.

U.S. District Judge Edward Davila granted the FTC's request, issuing a temporary restraining order and scheduling a two-day evidentiary hearing on June 22-23 to further assess the situation. The judge emphasized the need to maintain the status quo during the complaint's pending period and preserve the court's ability to order effective relief. Microsoft, advocating for the benefits of the acquisition, expressed readiness to present its case in federal court. The company had received approval from the European Union in May, but faced opposition from British competition authorities in April. The legal battle reflects the vigorous antitrust enforcement approach adopted by the Biden administration. While Microsoft has offered concessions to allay concerns, including a legally binding consent decree to provide "Call of Duty" games to rivals for a decade, the FTC remains determined to pursue its case. The evidentiary hearing, set to continue through June 29, will feature testimonies from key figures, including Microsoft CEO Satya Nadella and Activision CEO Bobby Kotick, as both sides present their arguments on the potential implications of the acquisition on the gaming market.

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EU REGULATORS CONSIDER FORCING GOOGLE TO DIVEST ADTECH BUSINESS AMID ANTI-COMPETITIVE PRACTICES PROBE

European Union (EU) regulators have issued a statement of objections, revealing their concerns about Alphabet's Google engaging in anti-competitive practices within its adtech business. The European Commission's two-year investigation into Google's behavior, including the preferential treatment of its own advertising services, may result in the tech giant facing its most severe regulatory penalty to date. The potential penalty could be as high as 10% of Google's annual global turnover. The focus of the investigation is on Google's advertising business, which contributed to 79% of its total revenue in the previous year, amounting to \$224.5 billion. EU antitrust chief Margrethe Vestager suggested that to address the anti-competitive practices effectively, Google might be required to divest part of its adtech business, potentially selling its sell-side tools, DFP, and AdX, to eliminate conflicts of interest.

Google has a few months to respond to the charges and can request a closed hearing before a decision is issued, a process that could extend over a year. Vestager emphasized that a behavioural remedy might not be sufficient in this case. While Google expressed disagreement with the Commission's charge, Vestager highlighted ongoing investigations into Google's privacy sandbox tools and its plan to restrict the availability of the advertising identifier on Android smartphones. The European Publishers Council, which filed a complaint last year, welcomed the charge. The Commission alleges that Google has favored its own online display advertising technology services, disadvantaging competitors, advertisers, and online publishers. Google's dominance in the digital advertising platform, holding a 28% market share of global ad revenue, has prompted the EU to pursue regulatory measures. Despite Google's attempt to settle the case three months into the investigation, regulators found the progress slow and lacking substantial concessions, leading to the current developments in the ongoing probe.

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EU PARLIAMENT MANDATES EASILY REPLACEABLE PHONE BATTERIES IN EFFORT TO COMBAT ELECTRONIC WASTE

In a significant move, the European Parliament voted overwhelmingly, with 587 members in favour and only 9 opposing, to amend existing legislation, requiring all electronic gadgets to feature easily replaceable batteries. This shift aims to prohibit manufacturers from selling phones that necessitate special tools for battery replacement, reviving the user-friendly practice of swapping batteries by simply opening the back cover. Scheduled to take effect in approximately 3.5 years, around early 2027, the law seeks to address the trend of non-removable batteries in smartphones, which emerged as a consequence of the industry's pursuit of thinner and lighter device designs. The mandate challenges current design norms, potentially prompting manufacturers to reconsider the prevalent 'glass sandwich' design held together by adhesives.

While the regulation is specific to the European Union, it raises questions about how global manufacturers will adapt their designs, especially considering the EU's influence in standardizing USB-C. The legislation not only focuses on smartphones but extends its reach to various electronic appliances, emphasizing environmental responsibility in the tech industry. Primarily geared towards reducing electronic waste, the law compels manufacturers to meet stricter waste collection targets, implement more efficient waste recycling methods, and introduce mandatory carbon footprint declarations and labels for electric vehicles. The EU's commitment to promoting responsible practices underscores a broader goal of minimizing the environmental impact of electronic devices beyond smartphones.

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META PLATFORMS TO CUT OFF NEWS ACCESS IN CANADA AS ONLINE NEWS ACT NEARS IMPLEMENTATION

Meta Platforms Inc, the parent company of Facebook and Instagram, announced its decision to cease news access on both platforms for all users in Canada. This move comes as a response to the imminent implementation of Canada's Online News Act, approved by the Senate, which mandates internet giants to pay news publishers. The legislation was proposed following concerns from Canada's media industry, seeking stricter regulation to prevent tech companies from overshadowing news businesses in the online advertising market. Meta, in a statement, confirmed the end of news availability on Facebook and Instagram in Canada before the Online News Act takes effect. The company had previously signaled its intention, asserting that news holds no economic value for the platform, and users do not primarily engage with it for news content. The Online News Act outlines rules compelling platforms like Facebook and Google to negotiate commercial deals and remunerate news publishers for their content, resembling a pioneering law passed in Australia in 2021. However, U.S. technology companies, including Meta and Google, argue that the proposed regulations are unsustainable for their businesses.

Google proposed revisions to the bill, suggesting that payment be based on the display of news content rather than links and specifying that only news-producing businesses adhering to journalistic standards are eligible. Despite objections from tech giants, the Canadian government has stood firm, with Prime Minister Justin Trudeau accusing Meta and Google of employing "bullying tactics." Previously, Google and Facebook had threatened to limit their services in Australia when similar rules were enacted. Eventually, both companies reached agreements with Australian media entities after amendments to the legislation were offered. Heritage Minister Pablo Rodriguez, the bill's proponent, emphasized that the government would engage in regulatory processes post-implementation, asserting the need to stand up for Canadians against tech giants. The decision received support from News Media Alliance, with its president, Danielle Coffey, applauding the Canadian Parliament for challenging Big Tech and urging similar actions globally.

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SPOTLIGHTING RESEARCH TOPICS: EMPOWERING RESEARCH PAPER ASPIRATIONS

We understand that embarking on a journey to create impactful research papers can be both exciting and daunting. As you navigate through your academic pursuits, we're here to help illuminate your path and fuel your scholarly ambitions. This section presents a curated selection of broad research paper topics designed to spark your intellectual curiosity and inspire your next paper based on the latest developments of this month. Each topic represents an opportunity for exploration, discovery, and the potential to contribute to the ever-evolving landscape of law and technology. We believe that a well-chosen research topic is the cornerstone of a successful publication, and our aim is to empower you to make informed choices.

- *Antitrust Scrutiny in Mega Mergers: Analyzing the Microsoft-Activision Blizzard Case*
- *Digital Advertising Dominance: EU's Battle Against Google's Anti-Competitive Practices*
- *Environmental Responsibility in Tech Design: The EU Parliament's Move on Replaceable Phone Batteries*
- *Regulatory Approaches to Addressing Electronic Waste*
- *Global Perspectives on News-Pay Legislation: A Comparative Analysis of Canada and Australia*
- *Balancing Innovation and Regulation*
- *The Evolution of Online Marketplaces: Legal Implications for Tech Giants*

MESSAGE FROM THE NEWSLETTER TEAM

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