
DIGITAL DARWINISM: SURVIVING AND THRIVING IN COMPETITIVE DIGITAL MARKETS

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ABSTRACT

Digital Darwinism is the application of Darwin's Theory of Evolution to the digital economy, where an organization's success or failure to adopt technology directly affects its survival as a business. It is a term coined by futurist Brian Solis and is based on the concept of Darwin's theory of natural selection in biology. This research paper explores the concept of Digital Darwinism and its relationship with competition law. It examines the importance of competition law in ensuring a level playing field for businesses in digital markets. It also analyses the challenges that businesses face when trying to comply with competition laws in the digital age, such as the lack of clarity in competition laws and the difficulties in monitoring and enforcing compliance. It examines the consequences of non-compliance with competition law, including fines, penalties for fabrication of information etc. It also provides insights into the role of competition law in promoting innovation and preventing anti-competitive behaviour in digital markets. It argues that competition law is essential for ensuring that consumers benefit from the advantages of digital markets. The paper also explores the challenges that competition authorities face when trying to regulate digital markets. These challenges include the rapid pace of technological change, the global nature of digital markets, and the difficulties in distinguishing between pro-competitive and anti-competitive behaviour. This paper emphasises the compliance of digital markets with Competition law. It argues that businesses that comply with competition law cannot only avoid the negative consequences of non-compliance but also gain a competitive advantage by promoting innovation and consumer protection welfare.

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I. INTRODUCTION

"It is not the strongest of the species that survives, nor the most intelligent, but the one most responsive to change." - Charles Darwin

A. The Darwinian Dynamics of The Digital Economy

Digital Darwinism is the evolution of consumer behaviour when society and technology evolve faster than some companies' ability to adapt. The point of natural selection is that only some businesses will survive. It's a theory that emphasizes how organizations, markets, and people that are unable to change with the times will eventually become extinct. The term "**Digital Darwinism**" was first coined by Evan Schwartz in his book "**Webonomics**" in 1997, it has become increasingly relevant as technology has advanced and become more ubiquitous in society.

Businesses now risk losing market share and falling behind their rivals if they don't adjust to new technologies and shifting client expectations. Examples of this include the collapse of traditional brick-and-mortar retailers as online shopping becomes more popular or the difficulties faced by traditional taxi companies as ride-sharing services like Uber and Ola gained popularity. Since new platforms and technology alter how we engage, work, and communicate with one another, digital Darwinism also has an impact on individuals. Individuals who are unable to adjust to these changes risk falling behind in both their personal and professional life.

In simple terms, the idea of "digital Darwinism" emphasizes the significance of adjusting to the ever-evolving digital landscape or risk falling behind in the cutthroat digital world².

B. The Evolution of Digital Technology and its Impact on Businesses and Society

The concept of Digital Darwinism emerged in the late 1990s, during the early days of the Internet and the rapid growth of digital technology. The term was first coined by Evan Schwartz

² <https://www.gktoday.in/topic/digital-darwinism-meaning-examples-and-drivers/> (last visited Feb 27, 2023)

in his book "Webonomics: Nine Essential Principles for Growing Your Business on the World Wide Web"³, published in 1997.

Schwartz used the concept to describe how companies that failed to adapt to the new digital terrain would eventually go extinct, in a similar manner as species that fail to adapt to shifting environmental conditions in biological evolution. He stated that the corporate landscape was changing because of digital technologies, opening new opportunities, and endangering the existence of established companies that were sluggish to adapt. The dot-com boom and subsequent crisis increased attention to the rapid rate of technology development and its effects on business and society and the phrase "Digital Darwinism" began to be used more frequently in the early 2000s. The idea of "Digital Darwinism" gained more and more importance as digital technologies developed and spread.

C. Navigating the Legal Landscape of Competition in India: An Overview of Competition Law

The Competition Act, 2002 governs competition law in India, and the Competition Commission of India (CCI) is the regulatory institution in charge of implementing this law. The Competition Act's main goals are to encourage competition in the Indian market and to stop businesses from engaging in anti-competitive practices. Price-fixing, bid-rigging, and market-sharing and entry control are examples of behaviors that are illegal under the Competition law.

The Monopolistic and Restrictive Trade Practices Act (MRTP), which was adopted in India from 1969 until 2003, was enacted to regulate trade practices in our country. The act had excluded certain matters like sectoral regulations for banks and insurance companies as well as its alienation of its application to government companies, undertakings owned by corporations established under a central or state Act rendered the Act's scope very limited and ineffective, and the Competition Act, 2002 was passed in its place.

India's Competition Law requires business entities to notify the CCI of proposed mergers and acquisitions that meet specified criteria. These transactions must be examined by the CCI to

³ EVAN I. SCHWARTZ, WEBONOMICS: NINE ESSENTIAL PRINCIPLES FOR GROWING YOUR BUSINESS ON THE WORLD WIDE WEB (BROADWAY BOOKS 1997).

ensure they do not significantly diminish competition in the market space. The CCI is essential to the enforcement of these rules and ensuring they strictly follow them.⁴

II. SURVIVING THE DIGITAL DISRUPTION

D. Disruptive Innovation in the Digital Age: Intersection of Competition Law and Digital Transformation

The impact of digital transformation on competition law has been significant, as new technologies and digital platforms have created new ways for companies to compete and engage in anti-competitive practices. Concerns have been expressed regarding the possibility of data-driven anti-competitive actions, such as using data to eliminate competitors or participate in collusion or price discrimination. Competition regulators are starting to focus more on how businesses gather, utilize, and exchange data and evaluate whether certain data-related actions are anti-competitive. This has also created new challenges for competition law in areas such as platform markets, where dominant companies such as Google, Amazon, and Facebook have significant market power. Competition authorities have investigated novel approaches to competition law to address these issues, like using data analytics to find anti-competitive behaviour and considering new theories of harm in platform markets. To ensure that competition law is effective in encouraging fair competition in the digital economy, competition law should be in global compliance.

E. Anti-Competitive Practices

An Anti-competitive practice is an action taken by one or more businesses to make it difficult or impossible for other businesses to participate or prosper in the market. Anti-competitive behavior can distort markets in several ways, including by raising prices, degrading services, and restricting innovation. Anti-competitive tactics are therefore forbidden by antitrust law in India. Anti-competitive actions can be taken by a single corporation or by agreements between

⁴ <https://www.cci.gov.in/antitrust> (last visited 27 Feb 2023)

<https://blog.ipleaders.in/competition-law-in-india/> (last visited 27 Feb 2023)

two or more companies. Collusion refers to unethical cooperation between rivals to gain unjustified domination over a particular market. Businesses may work together to develop and approve anti-competitive strategies that will strengthen their control over a particular market.⁵

Examples of Anti-competitive behavior (anti-competitive agreements) includes:

Predatory pricing: Predatory pricing is the illegal business practice of setting prices for a product unrealistically low in order to eliminate the competition. Predatory pricing violates antitrust laws, as its goal is to create a monopoly.

Price-fixing: Price fixing refers to an agreement between market participants to collectively raise, lower, or stabilize prizes to control supply and demand. The practice benefits the individuals or firms involved in setting the price and hurts consumers and firms on the receiving end.

Dumping: When an established business offers its goods for so little that smaller competitors may be driven out of the market.

Dividing territories: Territories are divided when several big businesses decide not to compete in specific regions.

Patent abuse: A company could purchase a sizable number of patents pertaining to its market to eliminate competitors as an example of patent abuse. Section 3 (5) of the Competition Act, which clarifies that the prohibition on anti-competitive agreements shall not affect the right of IP rights holders to impose reasonable conditions.

According to the CCI's conclusions in *Transparent Energy Systems (P) Ltd. v. TECPRO Systems Ltd. (2013)*⁶, the following findings are significant for determining predation (predatory pricing)

- (a) The enterprise's pricing for its products or services are extremely low.
- (b) the goal is to wipe out rivals from the market because they would be unable to compete at the low price due to the low pricing.
- (c) there is significant planning to recover the losses if any, after the market rises again.
- (d) the competitors have already been forced out.

⁵ <https://www.techtarget.com/whatis/definition/anti-competitive-practice> (last visited 28 Feb 2023)

<https://www.sconline.com/blog/post/2020/02/07/predatory-pricing-not-only-abuse-but-also-proof-of-dominance/> (last visited 28 Feb 2023)

⁶ *Transparent Energy Systems (P) Ltd. V. Tecpro Systems Ltd.*, (2013) SCC Online CCI 42.

The allegation of predatory pricing was the primary issue argued before the CCI in *Bharti Airtel Ltd. v. Reliance Industries Ltd. (2017)*⁷ was the charge of predatory pricing. The problem arose from a claim that Reliance Jio Infocomm Ltd (RJIL) has provided free telecom services below the average variable cost since its formation to drive out rivals. According to the CCI, the claimed predatory behavior should only be looked at if RJIL is clearly dominant in the relevant market; otherwise, there is no justification for looking into allegations of predatory pricing. According to the CCI's assessment, the informant had not shown that RJIL's actions had reduced competition or eliminated any competitors. The CCI further pointed out that RJIL was a latest market entrant and that its aggressive pricing was a short-term business plan to enter the market and build its brand. As a result, the CCI denied the information brought against RJIL and concluded the matter in accordance with *Section 26(2) of the Competition Act of 2002*.⁸

II. OVERVIEW OF COMPETITION LAW IN INDIA

F. Key provisions of the Competition Law, 2002

The Competition Act 2002 is an important legislation that regulates fair competition in India. In this detailed analysis, we will discuss the key provisions of the Act and their implications.

- **Prohibition of Anti-Competitive Agreements:** *Section 3* of the Act prohibits any agreement between enterprises that has the effect of appreciably restraining competition in a relevant market. Such agreements can include price-fixing, bid-rigging, market-sharing, and output restrictions. The provision aims to promote fair competition and prevent cartels from operating in the market.
- **Abuse of Dominant Position:** *Section 4* of the Act prohibits any enterprise from abusing its dominant position in a relevant market. A dominant enterprise is one that has a significant market share, and abuse can include practices such as predatory pricing, denial of market access, and unfair conditions in contracts. The provision aims to prevent dominant enterprises from using their position to stifle competition.

⁷ *Bharti Airtel Ltd. v. Reliance Industries Ltd.*, (2017) SCC Online CCI 25.

⁸ The Competition Act, 2002, § 26(2), No.12, Acts of Parliament, 2002 (India).

- Regulation of Combinations: **Section 5** and **Section 6** of the Act regulate mergers, acquisitions, and amalgamations that could have an adverse effect on competition in the market. The CCI is responsible for reviewing such combinations and can approve or reject them based on their potential impact on competition.
- Establishment of the Competition Commission of India (CCI): The CCI is the statutory body responsible for enforcing the provisions of the Act. It has the power to investigate and impose penalties on entities found to have violated the Act. The CCI also has the power to promote competition advocacy and create awareness among consumers and stakeholders about fair competition practices.

G. Role of the competition commission of India (CCI)

The Competition Commission of India (CCI) is a regulatory organization created in accordance with the Competition Act of 2002, and its responsibilities include stimulating and retaining competition in the Indian market, protecting consumers' interests, and preventing anti-competitive behavior.

Investigating Anti-Competitive Practices: The CCI's main duty is to investigate and prevent anti-competitive behaviors in the Indian market. The CCI has the authority to open an investigation on its own or in response to a complaint (information) received from any individual or business. Penalties and other remedies, such as orders to stop engaging in anti-competitive activities, may result from the CCI's investigations.

Regulating Mergers and Acquisitions: To prevent mergers and acquisitions in India from having a negative effect on market competition, the CCI plays a significant role in regulating these transactions. To ascertain whether planned mergers and acquisitions will have a materially negative impact on competition in the relevant market, the CCI evaluates the proposed transactions.

Facilitating Competition Advocacy: The CCI must play a part in raising awareness and support for competition in India. This entails promoting a competitive market by interacting with stakeholders, doing research on market trends and competition-related issues, and educating consumers and businesses on the advantages of competition.

Enforcing the competition Law: Enforcing the Competition Act of 2002's requirements and ensuring that businesses obey the law, is the responsibility of the CCI. The implementation of

penalties and other measures to address anti-competitive behavior in addition to monitoring corporate behavior to prevent it.

Providing Advisory Opinions: The CCI can offer enterprises advisory opinions on matters pertaining to competition law. This aids organizations in better understanding their legal responsibilities and ensuring compliance.⁹

H. Enforcement of Competition Law in India

The CCI has the authority to conduct investigations on its own or in response to a complaint from any individual or business. Cases of anti-competitive agreements, abuse of dominant position, and combinations are investigated by the CCI (mergers and acquisitions). The CCI can obtain evidence using a wide range of methods, including conducting seizures and searches. Upon the conclusion of an investigation, the CCI examines the case and issues a ruling. The CCI has the power to mandate amendments to agreements or combinations, impose penalties, and issue cease and desist orders. For further appeal, the CCI may potentially send cases to the courts or the Competition Appellate Tribunal (COMPAT). It is the responsibility of the parties involved to follow any orders issued by the CCI. Further penalties may be imposed for non-compliance. In addition to the CCI, other stakeholders, including the judiciary, the Ministry of Corporate Affairs, and various sectoral regulators, are involved in the enforcement of competition law in India. Indian competition law has been successfully enforced by the CCI in several high-profile instances, leading to hefty fines and modifications to corporate behavior.¹⁰

III. DIGITAL MARKETS AND COMPETITION LAW IN INDIA

I. Competition law issues in digital markets

In recent years, concerns about challenges with competition legislation in digital markets have grown both in India and internationally. Key concerns regarding the law of competition in digital markets are:

⁹ <https://www.cci.gov.in/about-us#:~:text=Competition%20Commission%20of%20India,-The%20objectives%20of&text=It%20is%20the%20duty%20of,in%20the%20markets%20of%20India>. (last visited 28th Feb 2023)

¹⁰ <https://docket.acc.com/competition-law-india-top-10-things-know-about-enforcement-regime#:~:text=The%20enforcement%20regime%20of%20competition,the%20%E2%80%9CCompetition%20Act%E2%80%9D>. (last visited 1st Mar 2023)

- **Dominance of Tech Giants:** The increasing dominance of a few large tech companies such as Google, Amazon, Facebook, and Apple (GAFA) in the digital market has raised concerns about their potential anti-competitive practices. These companies have significant control over data, access to consumers, and markets, which can make it difficult for new players to enter the market.
- **Data Privacy and Security:** In digital markets, data plays a crucial role in determining market power. Companies that have access to a large amount of data can use it to gain an unfair advantage over their competitors. There are also concerns about the misuse of data and potential breaches of data privacy and security.
- **Platform Neutrality:** In digital markets, platforms such as search engines, social media, and e-commerce platforms act as gatekeepers and can influence the competition in the market. There are concerns about their neutrality and the potential for discrimination against certain market participants.
- **Anti-competitive Practices:** Companies in digital markets have been accused of engaging in anti-competitive practices such as price fixing, exclusive contracts, and bundling of services. These practices can have a negative impact on competition and harm consumers.
- **Mergers and Acquisitions:** In digital markets, mergers and acquisitions can lead to a concentration of market power, making it difficult for new players to enter the market. There are concerns that some mergers and acquisitions in the digital market may have anti-competitive effects.

J. Analysis of relevant cases in India

In the case of *Matrimony.com vs Google Ltd LLC*¹¹ it was held that, the CCI's majority opinion clarified that it was exercising 'forbearance' in not interfering with Google's search design as it did not want to chill innovation. The order emphasized balancing concerns to competition with ensuring that the benefits to consumers were not compromised.

¹¹ (07/2012) Matrimony.Com Limited Vs Google LLC & Others (30/2012) ... On 31 January 2018.

In the case of *PF Digital Media services Ltd. and vs UFO Moviez India Ltd. and Ors*¹², it was held that UFO Moviez is alleged to be leveraging its dominant position in the DCE market by protecting the postproduction processing market through Scrabble Digital, but the Informant states that CBFC certification is not relevant and there is no distinction between post-production processing and post certification services. The Commission is of the view that UFO Moviez and Scrabble Digital are not competing in the production chain and form part of the same group, so the provisions of *Section 3(3)*¹³ of the Act may not be attracted.

In the case of *Union of India v. Cynamide India Ltd*¹⁴ it was held that over-pricing of the life-saving drugs attract prohibition under competition law, and it comes under the umbrella of price control. The branded agencies and the patented products are the major concerns for the competition law. It is hard at the current stage to bring them in the circle of price control. These are acting as potential dangers apparent in the form of monopolies. Legislations in various countries still do not cover provisions to bring such drugs under the scheme of price-control.¹⁵

IV. COMPETITION IN DIGITAL MARKETS: STAYING AHEAD WHILE PLAYING BY THE RULES

- To survive and thrive in digital markets while complying with competition law, businesses need to adopt various strategies, some of which are outlined below:
- Offer creative products and services: One of the best ways to beat the competition is to create products and services that are responsive to the changing needs of the consumer. This can be done by utilising new technology, performing market research, and talking to customers to learn about their preferences and trouble concerns.
- Recognize and embrace digital transformation: Digital transformation is the process of integrating digital technologies across all functions of an organisation. This includes implementing cloud computing, automating business operations, and utilising big data analytics to enhance decision-making. Companies can become more productive, economical, and customer-focused by adopting digital transformation.

¹² Pf Digital Media Services Ltd. And ... Vs Ufo Moviez India Ltd. And Others On 17 September 2021.

¹³ The Competition Act, 2002, § 3(3), No.12, Acts of Parliament, 2002 (India).

¹⁴ Union Of India V. Cynamide India Ltd, (1987) 2 SCC 720.

¹⁵ <https://research.jgu.edu.in/indian-competition-law-in-the-digital-markets-an-overview-of-national-case-law/>
(last visited 1st Mar 2023)

- Ensure compliance with competition law: While pursuing these methods, enterprises must ensure that they comply with competition law. Avoiding anti-competitive practices including price-fixing, market-sharing, and abuse of dominant position. Also, businesses must ensure that their mergers and acquisitions will not restrict competition or result in market concentration.

*Ashish Ahuja v. Snapdeal.com*¹⁶ was a case in which the complainant claimed that SanDisk Corporation, a well-known manufacturer of memory storage cards, and the online store Sanpdeal.com conspired to prevent him from offering competitive pricing below the market price by pressuring him to register as an authorised dealer. The Commission recognized that both platforms, namely online and offline, are essentially different channels utilised for delivering the same products of the same enterprises. SanDisk is a powerful player, but it hasn't abused its power because it can make sure that its goods are only supplied through authorised dealers to maintain the quality of its distribution network. Additionally, offering exclusive discounts and deals did not constitute collusion since many other e-commerce sites, including Amazon, eBay, and Flipkart, rely on these strategies to succeed. As a result, no prima facie case for abuse of dominant position was made against SanDisk.

In general, companies that follow these approaches and comply with regulations regarding competition have a higher chance of thriving in digital markets.

V. FROM SURVIVAL TO SUCCESS: EXAMINING COMPANIES THAT THRIVED IN THE AGE OF DIGITAL DARWINISM WHILE COMPLYING WITH COMPETITION LAW

a. Amazon

Amazon has grown from a straightforward online bookstore to a global e-commerce company, providing a variety of goods and services. In 2022, the EU accused Amazon of using data from third-party merchants on its platform to gain an unfair advantage over them. The EU threatened Amazon with a multibillion-dollar fine, but an agreement between Amazon and the EU has been reached, preventing Amazon from facing significant penalties. Amazon has committed to alter its business practices and make it simpler for third-party vendors to end their relationships with Amazon because it won't use their data to compete with them anymore.

¹⁶ Mr. Ashish Ahuja Vs Snapdeal.Com Through Mr. Kunal ... On 19 May 2014.

b. Uber

Uber is a ride-hailing start-up that has challenged the established taxi sector to successfully adapt to digital Darwinism. The case of **Samir Agrawal vs Competition Commission of India**¹⁷ was related to allegations of anti-competitive behaviour by Uber and Ola in the ride-hailing market in India. The complainant alleged that the two companies were engaging in predatory pricing, which was causing harm to traditional taxi operators. The CCI found that the companies had abused their dominant position in the market and imposed a penalty of Rs. 136 crores on Uber and Rs. 87.6 crores on Ola. Uber challenged the CCI's decision in the National Company Law Appellate Tribunal (NCLAT), arguing that the CCI had not followed proper procedures in the investigation and had not given them a fair hearing. However, the NCLAT upheld the decision, stating that the evidence presented by the CCI was sufficient to establish the evidence. The case highlights the importance of fair competition and the role of competition authorities.

VI. POTENTIAL FUTURE TRENDS IN DIGITAL DARWINISM AND COMPETITION LAW**K. Artificial intelligence and machine learning**

With the rising use of AI and ML, the vibrant startup ecosystem in India is expected to expand even further. Due to their greater agility and capacity for rapid innovation, startups may be better positioned to benefit from these technologies.

- A greater usage of AI and ML is anticipated by businesses in India, allowing them to adjust more quickly to changing consumer tastes and market trends. This might increase competition in the market, but it might also make it difficult for regulators to keep track of and enforce the law on competition.
- Indian regulators anticipate conducting more in-depth investigations into companies utilising AI and ML, notably in antitrust compliance. The use of algorithms for pricing and customisation has the potential to result in anti-competitive activity, thus regulators may need to take a more proactive approach to spotting and correcting such behaviours.

¹⁷ Samir Agrawal vs Competition Commission of India on 15 Dec 2020.

- With the development of AI and ML, the issue of data privacy and protection is becoming more urgent. To guarantee that enterprises are abiding by pertinent rules and regulations, it is anticipated that the Indian government would continue to work to control the acquisition, storage, and use of personal data.
- A larger emphasis will be placed on digital inclusion as more Indians have access to it to guarantee that everyone has equal access to and access to opportunity. Government programmes to advance digital literacy and increase internet access in underprivileged areas may fall under this category.
- With the rising use of AI and ML, the vibrant startup ecosystem in India is expected to expand even further. Due to their greater agility and capacity for rapid innovation, startups may be better positioned to benefit from these technologies.¹⁸

L. Data Privacy and protection

The legislative committee is reviewing the personal data protection bill, which aims to create a comprehensive framework for the protection of personal data. If approved, it will establish a data protection authority, place strict requirements on data controllers and processors, and give people a range of rights over their personal data. Indian competition authorities have already begun to investigate how businesses in the digital sector are handling customer data, with the Competition Commission of India (CCI) opening an investigation into Google in 2018 over claims that it had abused its position of dominance in the search engine industry. The new privacy policy of WhatsApp, which mandates that users share their data with Facebook, is also being investigated by the CCI as data privacy concerns continue to increase. Regulators must devise a strategy for balancing these conflicting interests to deal with the complex challenges that arise from the confluence of data protection and competition legislation.¹⁹

M. Potential implications of new technologies on competition law

Decentralized markets and peer-to-peer platforms are two examples of new types of market organization made possible by blockchain technology, which can lead to new competition-

¹⁸ <https://www.javatpoint.com/difference-between-artificial-intelligence-and-machine-learning> (last visited 4th Mar 2023)

¹⁹ <https://www.mondaq.com/india/antitrust-eu-competition-/1104738/data-protection-and-competition-law-developments-and-the-way-forward> (last visited 4th Mar 2023)

related problems. Regulators must understand the implications of blockchain technology and create the proper guidelines. The Internet of Things (IoT) has the potential to expand data sources and enable more precise consumer targeting, but it may also give rise to issues with data security and privacy. Decentralized production may be made possible by 3D printing technology, which may put established supply chain and manufacturing models to the test. This could lead to new competitive problems, like intellectual property theft, as well as chances for new competitors to disrupt established markets. Authorities must make sure that the competition laws are properly enforced in this new situation. Businesses must be aware of the consequences of new technology for competition law and make sure their conduct conforms with the regulations.

VII. CONCLUSION

N. Recap of the importance of Digital Darwinism and Competition law

Because of the disruptive nature of digital technology and the possibility for digital platforms to abuse their market position, competition law is crucial in the digital era. With several high-profile investigations and lawsuits involving businesses like Google and Amazon, the CCI has adopted a proactive strategy to policing the digital market.

Ultimately, the promotion of innovation and competition in the digital economy, which helps customers, firms, and the whole economy, is why digital Darwinism and competition law in India are crucial.

O. Suggestions for business to thrive in Digital Markets while complying with Competition law.

- Companies should regularly evaluate their activities to find any potential problems with the law governing competition. This can involve looking at the price, distribution, and marketing plans as well as how data and algorithms are used.
- Anti-competitive practices like price fixing, market allocation, and bid rigging should be avoided by businesses. Additionally, they should refrain from abusing their market dominance by imposing predatory prices.

- Data is frequently a major asset for organizations in digital markets. Businesses should, however, utilize data responsibly and refrain from engaging in anti-competitive data activities.
- In competition law, transparency is a key tenet. Companies should be forthcoming and truthful about their pricing, terms, and data collection procedures. Also, they must make sure that their advertising and marketing strategies are truthful and honest.
- To ensure that they are aware of the ramifications of their operations under competition law, businesses should interact with authorities. This may entail asking authorities for advice or taking part in public discussions on proposed rules or regulations.
- Particularly in the digital environment, competition law is continually changing. Companies should keep up with new advancements and be ready to modify operations as needed.²⁰

“In a world of rapid technological change, it is critical that competition law keeps pace with innovation to ensure that the benefits of new technologies are widely shared”- Makan Delrahim

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