

#ASCOLA2022

Starboard Bow address by Capt. Felipe Marsden  
vessel: 'Douro" on the Douro, Porto



I'm on a boat, I'm on a boat  
Take a good hard look at the motherfkin boat  
I got my swim trunks and my flippy-floppies  
I'm ridin' on a dolphin, doin' flips and shit  
The dolphin's splashin', gettin' everybody all wet  
But this ain't tax law, this is as real as it gets  
I'm on an antitrust boat, motherfker, don't you ever forget

My aim may be low - keep you from your phones  
Or high - don't you regret missin the view  
This Poetry slam  
I haven't learned it by rote  
I've even jotted down a note  
Here and there  
to keep me on track  
So I may have a message  
We'll see in feedback  
Like, will anyone ask me to dance?  
I'm shy so remember, you gotta ask twice

Say Ola! Its AS-COLA  
No joke Coke is it  
Ascola, cos pepsi is sh1t  
Not CRESSE, greek salad be messy  
Not ABA or IBA no acronym forgetty  
None of it is good as my mom's spaghetti

Mom's spaghetti  
Mom's spaghetti?  
Porto man...its pasteis de nada  
Breakfast in bed, make it a pingo  
uma bica cheia or let's go cafe duplo  
Pump it up all the way to eleven  
Im on a boat, man  
This isnt ICN in berlin  
You drinkin beer ?  
well, we in porto...so we oughto  
Bein cellars tastin wine

Ascola ...We just win  
Ola! Ascola! Ola! Ascola ....

....

It's Tricky to rock a rhyme, to rock a rhyme that's right on time  
It's Tricky... it's Tricky (Tricky) Tricky (Tricky)  
Who's on the boat?  
Who do we gotta tell Obrigado?  
It's tricky they so many  
Just mention a few  
It's tricky peter picht =y  
All the way from zurich-y  
Hey Magali hey magali let's get down to cali  
Magali eben, no she dont even sound glaswegian  
Sofia and all the crew from university catolica  
If i was in sweden i'd say lets grab a fika  
In Lisbon, I would ask for "uma bica"  
But im here so i'll take you out for Porto Negroni  
And we'll dance to all the music on your little phoney

Who's on the boat  
Who's on the boat  
Or brook, man oh you shook  
Us all night long  
She's from party central in leeds  
Bands from there? Chumbawumba, kaiser chiefs, and sisters of mercy  
Soft cell and all their tainted love  
Or brook's on the boat, so lets give it up  
And we should admit, we've

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Yo michal gal...all the way from haifa  
Oy vey, yes, she's an antitrust lifer  
Girl got cred comin out of her ears  
Algos and tech  
She can lift up the hood and look at the gears  
Yo yo yo have we got rupprecht on the boat?  
Podszun, man, all that he writes, well it's job's done,  
podszun man is he an ordoliberal godson?  
Can we just accelerate  
to the state  
where rupprecht joins the bench  
Of a top court...germany or ECJ...either way, antitrust wins!

Couple more riffs...bear with me, gotta say some thing of substance  
Then we drink and we eat and we get up and dance

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Alright stop, collaborate and listen  
Got a tale of enforcement action  
A European  
copyright law stated  
'show media content, you better compensate it'  
But Google replied: 'no we'll free ride it'

Yo ADLC, let's kick it  
press Injunction function  
Isabelle da Silva was the Top Gun  
She feels the need  
The need for speed  
Order interim measures... social media pays heed  
Quick to the point, it's brave but simple  
competition law  
actin quick and nimble

So Google came to the table  
surprise surprise paying up, they're able  
In London now we got Facebook  
Waving that chequebook  
Down Under: arbitration

because France led the way - to compensation

Related rights rights, pay me  
Media rights rights, pay me  
It's Copyright, so pay me

Yo, Word to THE MEDIA  
You and we should be thanking the Autorite

Media rights rights, pay me  
Rights rights, pay me  
Media rights rights pay me  
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Martijn snoop snoop dog over at ACM  
Go dutch man it dont cost us much man  
Saving the planet  
Not adding up benefits 101 3  
Making a holistic calculation  
To save all our nations  
And you and me

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Vestager a tiger  
Look out von der lion  
She coming up fast  
Or may be go back to Copenhagen and just play Borgen at last  
Oh

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Shout out to all y'all antitrust  
Hipsters just sayin "I gotta feeling":  
Firms are too big. Profits higher and higher.  
GAFA tech giants raise particular ire  
But any industry, look, hipsters say  
Concentration causes inflation!  
And see the solution without thought  
Low prices is what is sought  
Look ! excess profits!

get those down  
As an academic Lina Khan  
Saw big companies, like Amazon  
Break it up Break it up!  
Dont wait, de-concentrate

Small shops are what we need  
Circles in circles goes the reasoning  
'Big is bad' so 'let's ban bigness'  
See the solution without thought  
Break it up, is what is sought

Google, Microsoft, let's get Meta  
Break it in 2 or even better  
Make it 3  
Why stop there? Is that something  
From The winner takes it all  
To winner gets nothing

Breakups and blocks are all a bit scary  
And as such require evidence extraordinary  
Of harm but also that the fix is better  
Killing the patient may stop the malady  
But it is hardly a commendable remedy  
Extracting commitments also must have some proportion  
Otherwise, they too are no more than extortion

So could it be that there is another way?  
Take Open Banking - what did we do at the CMA?  
Under political pressure to break up the banks  
We had the powers but we still said No thanks  
That wouldn't have worked and what's more  
In markets where there are a big 3 or 4  
Sometimes breaking up is hard to do

Making big banks  
More, but smaller  
Wouldn't have ensured consumers  
better services and terms  
Breakups like that just open a huge can of worms

The financial platforms were just sitting on data  
And we knew others could use it better  
But rather than take it or break them up

We made them share it with fintechs, through APIs  
So new chances for entrants could arise  
And even the incumbents are now getting wise  
Working harder for their customers, so everyone gains

Unlike break up, or limiting their product range  
Open banking went with the grain  
Of innovation and technological change  
Interoperability held the keys  
Creating space for intermediaries  
and their offers to thrive  
An ecosystem diverse and alive

Interoperability isn't anything new  
It's how we regulate telco and other facilities too  
And so too in antitrust since Windows Media player  
But the obligations imposed in the new DMA are  
Needed to be managed carefully make no mistake  
The goals may be contestability ... and fairness  
But the evidence matters - and there must be awareness  
Of how the rules will apply and how markets will get better  
Bathwater must go, but the baby remain  
Innovation must not be sent down the drain  
In every case, the stakes are so high  
Just ask that darling of Swedish-tech: Spotify  
That unicorn might still take a bite out of Apple's commission  
But pricing disputes are not really agencies' mission  
Nor with royalty rates - granting permission  
Nor even approving each of the steps  
In the Smartphone Wars of FRAND-access to SEPS

Authorities are there to ensure opportunity  
But must not tamper with existing ability  
Regulators' great power also comes with great responsibility  
We don't want them to create greater dependencies  
Just because rivals say 'give us access please'  
They have to rise and fall on their own  
Not be dependent on government intervention

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Enough lecturing and hectoring

My rhymes are runnin dry

Next stop on the ASCOLA boat?

We gonna work hard for a year  
and then just cruise and float  
until Greece out in the shipping lanes

Look out Mr President Lianos

We comin for the HCC, better get to the coast

We gonna see what an authority  
Does with a serious prof at its head  
Dawn raids, and guidance, and oh look  
Iannis Lianos has another thick book

That's how we do it

Ascola writing, thinking , and helping authorities get it right

Training judges and bringing other dark souls into the light

And yes now and then we get antitrust tourism

It helps us see the issues through a beautiful prism

Of exchanging ideas, and testing theories

Let's keep it up - raise your glasses

Its the order of the day

After another line or two we will all say Saúde

So join me and say it nice

"Been spendin' most our lives livin' in the antitrust paradise

Keep spendin' most our lives livin' in the antitrust paradise

Saúde"

