ДЕРЖАВНИЙ ТОРГОВЕЛЬНО-ЕКОНОМІЧНИЙ УНІВЕРСИТЕТ

Department of International, Civil and Commercial Law

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TOPIC

LEGAL FRAMEWORK FOR ALGORITHMIC PRICING

HYPOTHESES

Automated pricing, based on algorithms (preset technical instructions), forms the foundation of many innovative economic activities and has been widely adopted in traditional business models.

The central hypothesis of this research is that current algorithmic pricing practices pose novel legal challenges in areas such as economic competition, consumer rights, and data protection. There is an increasing demand for regulatory clarity from society — comprising both consumers as pricing recipients and market participants operating in an environment of legal uncertainty.

RESEARCH QUESTIONS

- What are the economic goals and technical foundations of algorithmic pricing?

- How do algorithmic pricing practices influence legal relationships in areas such as competition law, consumer protection, and data privacy?

- What regulatory mechanisms can address the challenges posed by algorithmic pricing?

- How should self-learning algorithms be classified legally — could they be deemed independent entities rather than mere tools in cases of legal violations?

- How can regulators ensure a balance between protecting consumer rights and fostering innovation in competitive algorithmic pricing practices?

PURPOSE OF RESEARCH

Studying the manifestations and outcomes of algorithmic pricing, alongside regulatory approaches in other jurisdictions, will help identify potentially unlawful practices linked to such pricing methods and evaluate the necessity for regulatory intervention.

The ultimate goal of this dissertation is to propose scientifically grounded, balanced strategies for improving Ukrainian legislation and/or enforcement practices in key legal areas affected by algorithmic pricing.

RESEARCH METHODS

A comparative legal method will be employed to analyze regulatory approaches to algorithmic pricing in the EU at the supranational level, in the jurisdictions of EU member states, and in the US. The formal-legal method will be applied to scrutinize relevant legislation in the EU, US, and Ukraine.

Additionally, a systematic approach will enable a comprehensive examination of the interconnections between competition law, consumer rights protection, and data processing in the context of algorithmic pricing practices.

The empirical method will focus on studying real-world cases of algorithmic pricing across various markets, aiming to identify practical challenges arising from the use of such algorithms. Data collection and analysis will target the key issues and risks associated with these practices. The dialectical method will be used to establish the relationships between legal norms and economic processes. Finally, analysis and synthesis methods will facilitate the organization of scholarly perspectives and the formulation of robust conclusions.