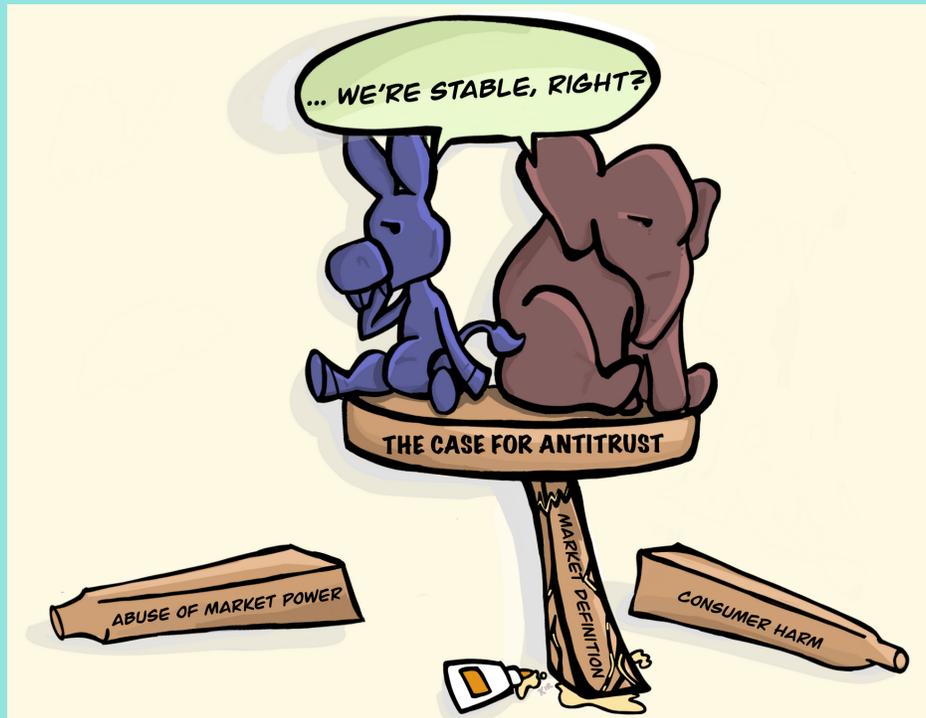


antitrust in a nutshell

— NetChoice —



U.S. antitrust laws are meant to protect consumers and the benefits they receive from a competitive marketplace: lower prices, higher-quality goods, innovative products, increased productivity, and so on.

For that reason, the laws are not meant to shield businesses, small or large, from more innovative or efficient competitors.

The Supreme Court has never found a company with below 75% market share to be a monopoly.

To enforce antitrust law, what three things do you need to prove?

- **The business has monopoly power within the relevant market.**
- **Said business abused that monopoly power and used anticompetitive practices.**
- **Said business harmed consumers.**

Under the consumer welfare standard, courts evaluate price and non-price harms to consumers. This objective standard ensures government's enforcement actions respond to real, not speculative problems.