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

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.