

Press Release



Primer: Antitrust Litigation Against Amazon's Online Marketplace

PAULINA ENCK | SEPTEMBER 27, 2023

On Tuesday, the Federal Trade Commission (FTC) and 17 state attorneys general filed an expansive antitrust case against tech giant Amazon, arguing that a variety of the company's practices violate federal antitrust laws and harm competition online. In a new insight, Director of Technology and Innovation Policy Jeffrey Westling walks through the plaintiffs' arguments against Amazon, as well as the firm's defense issued in response.

Key points:

- The courts will examine Amazon's alleged anticompetitive conduct and weigh that against the procompetitive effects, as fierce competition among sellers can lower prices and increase the quality of services.
- If the courts determine that Amazon's conduct produces anticompetitive harms that outweigh the potential benefits, they can stop these practices under current antitrust law.
- Congress should not pass legislation targeting firms such as Amazon on the basis of size alone and instead allow the courts to continue weighing these harms and benefits.

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