



TOP 10 TASKS/TOOLS • SELF-GUIDED TOUR

Practical Guidance Antitrust

This Top 10 list contains key resources and tools found on the Antitrust practice area page.

1. TRANSACTIONS SEARCH

Our Federal Merger Enforcement Tracker charts and summarizes all DOJ and FTC merger enforcement actions back to 2015. It includes party information, relevant markets, concentration statistics (e.g., market shares), theory of harm, and any remedy.

Tracker: [Federal Merger Enforcement Tracker](#)

2. ANTITRUST CLAUSES IN M&A AGREEMENTS

Practical Guidance Antitrust that antitrust lawyers typically draft and negotiate. Key items include:

Resource Kits: [Antitrust Clauses in M&A Agreements Resource Kit](#)

3. HART-SCOTT-RODINO (HSR) ACT

We have numerous items that guide practitioners through the HSR process, from reportability, to filing, through noncompliance penalties. Click on [Premerger Notification](#) under the Mergers and Acquisitions task. Key items include:

Practice Notes: [Reportability of a Merger or Acquisition under the Hart-Scott-Rodino \(HSR\) Act](#)
[Hart-Scott-Rodino \(HSR\) Act Filings](#)

Annotated Templates: [Hart-Scott-Rodino \(HSR\) Act Tender Offer Notice Letter](#)

Checklists: [Hart-Scott-Rodino \(HSR\) Act Size-of-Person Quick Reference Checklist](#)

4. ROBINSON-PATMAN ACT (RPA) RESOURCES

Our [Price Discrimination](#) task offers resources to help practitioners understand and comply with the RPA. Key items include:

Practice Notes: [Robinson-Patman Act Section 2\(a\) Price Discrimination Claims: Elements](#)

Checklists: [Robinson-Patman Act Section 2\(a\) Price Discrimination Elements and Defenses Checklist](#)

5. CRIMINAL ANTITRUST INVESTIGATIONS & PROSECUTION

This task deals with the violations of the antitrust laws that are prosecuted criminally—often referred to as cartels. Key items include:

Practice Notes: [Department of Justice Criminal Antitrust Investigation Process](#)
[Leniency Program](#)

Resource Kits: [Criminal Antitrust Resource Kit](#)

Checklists: [Dawn Raid Preparation and Response Checklist](#)
[Criminal Antitrust Fines Calculation Checklist](#)

6. SECTION 1 OF THE SHERMAN ACT / UNREASONABLE RESTRAINTS OF TRADE

We devote two tasks to Section 1: [Horizontal Agreements with Competitors](#) and [Vertical Agreements with Customers or Suppliers](#). Key items in the Horizontal Agreements with Competitors task include:

Practice Notes: [Horizontal Restraints](#)

Annotated Templates: [Reminder to be Read Aloud at Trade Association Meetings](#)

Key items in the Vertical Agreements with Customers or Suppliers task include:

Practice Notes: [Nonprice Restraints in Vertical Agreements](#)
[Resale Price Restraints in Vertical Agreements](#)

7. SECTION 2 OF THE SHERMAN ACT / MONOPOLIZATION

Because monopolization is an offense involving unilateral conduct, our monopolization materials are in the [Unilateral Conduct](#) task. Key items include:

Practice Notes: [Exclusive Dealing Arrangements and Anticompetitive Concerns](#)
[Loyalty Discounts and Anticompetitive Concerns](#)

Annotated Templates: [Competitor's Antitrust Complaint for Exclusive Dealing, Monopolization, and Attempted Monopolization \(Federal\)](#)

8. HEALTHCARE ANTITRUST

The healthcare industry continues to be a focus of FTC antitrust enforcement. Click on the [Healthcare](#) subtask, under Antitrust by Industry. Key items include:

Practice Notes: [Pay-for-Delay Deals and Antitrust Concerns](#)
[Pharmaceutical Pricing and Antitrust Liability Concerns](#)
[Hospital and Other Health-Care Provider Mergers and Acquisitions](#)

Resource Kits: [Healthcare Antitrust Resource Kit](#)

9. CIVIL ANTITRUST LITIGATION

Key items include:

Practice Notes: [Discovery in Antitrust Cases](#)
[Opt-Out and Direct-Action Plaintiffs in Antitrust Class Actions](#)
[Monetary Recoveries in Civil Antitrust Cases](#)

Annotated Templates: [Motion to Dismiss Pursuant to Federal Rule of Civil Procedure 12\(b\)\(6\)](#)
[Memorandum in Support of Defendant's Motion to Dismiss](#)

10. ANTITRUST COMPLIANCE

Key items include:

Practice Notes: [Antitrust Compliance: Drafting Policies and Procedures](#)

Resource Kits: [Antitrust Compliance Resource Kit](#)

Annotated Templates: [Antitrust Compliance Policy Manual](#)

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