



Press Release

Biden FTC's Mistaken Views on Multi-sided Platforms

PAULINA ENCK | AUGUST 1, 2023

The recently released Federal Trade Commission and Department of Justice draft merger guidelines take aim at mergers involving multi-sided platforms, a business arrangement commonly found in the technology sector. In a new insight, Director of Technology and Innovation Policy Jeffrey Westling supplements a previous American Action Forum insight on the updated draft merger guidelines to explore how they would affect multi-sided platforms.

Key points:

- While multi-sided platforms may present difficult cases for regulators to review due to the complexity of multiple interacting markets, mergers involving platforms and one or more market participants can provide significant benefits to consumers.
- Courts have traditionally weighed those benefits against potential anticompetitive effects when determining whether these arrangements violate the law.
- The new merger guidelines largely forgo this analysis to assume that any such merger would create conflicts of interest that necessarily raise antitrust concerns, justifying intervention from regulators to block the transaction regardless of the competitive effects.

[*Read the analysis*](#)