



Press Release

Golf's LIV and PGA Merger May Not Violate the Clayton Act

PAULINA ENCK | JUNE 15, 2023

The PGA Tour, European Tour, and LIV Golf agreed to a merger in early June, sparking significant concern about potential monopolization of the market. In a new insight, Director of Technology and Innovation Policy Jeffrey Westling makes the case that the merger presents procompetitive benefits that reviewing courts should take into consideration.

Key points:

- AAF's Fred Ashton [published an insight](#) laying out the case that the merger would violate Section 7 of the Clayton Act; this insight presents an alternative case for regulators to consider.
- While this merger should draw scrutiny from regulators, the evidence may suggest that it would not substantially lessen competition because the relevant market is broader than just golf tours—including other live entertainment options—and the procompetitive effects of the merger outweigh the competitive harms.
- As regulators examine the transaction, they should carefully consider the competitive restraints on the merged entity rather than targeting the merger simply due to the resulting size of the combined firms.

[Read the analysis](#)

See Fred Ashton's piece [Incumbent Tours Agree to Merge with LIV Golf](#)