



Press Release

What is the Future of Antitrust and Calls to Break Up Big Tech?

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A number of antitrust investigations continue into tech companies' dominance in the online advertising and search markets, despite indications that these investigations are motivated by policy concerns separate from competition. In a new analysis, AAF's Director of Technology and Innovation Policy Jennifer Huddleston discusses the danger of using antitrust for non-competition related policy concerns and the potential consequences of shifting from the consumer welfare standard. Antitrust is not a tool designed to solve other policy problems, she argues, and policymakers should continue to apply the consumer welfare standard in antitrust cases to protect consumers and encourage a dynamic market.

An excerpt:

Technology has proven to be an incredibly dynamic field with rapid changes, and especially during the pandemic consumers have benefited immensely from technology. Many still view technology companies with suspicion, however, indicating the “techlash” is far from over. Some policymakers and tech critics continue to see antitrust as a one-size-fits-all tool to solve any number of concerns, even though this area of law was designed for a very specific purpose. Shifting away from the consumer welfare standard would generate any number of issues, resulting in confusion for companies and deterring choices that might be beneficial to consumers. Attempting to use antitrust for anything other than competition-related concerns may make the underlying problems worse and allow for future abuse of this powerful area of law.

[Read the analysis.](#)