

ANTITRUST BASICS



David M. Ostfeld, an attorney with Strasburger & Price, LLP in Houston, has represented clients for more than 30 years. His areas of specialty include: intellectual property, international transactions, domestic transactions, antitrust and anti-competition issues, customs, export regulation, contract transactions, technology agreements and franchise law matters.

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I. PRINCIPAL STATUTES

A. The Sherman Act

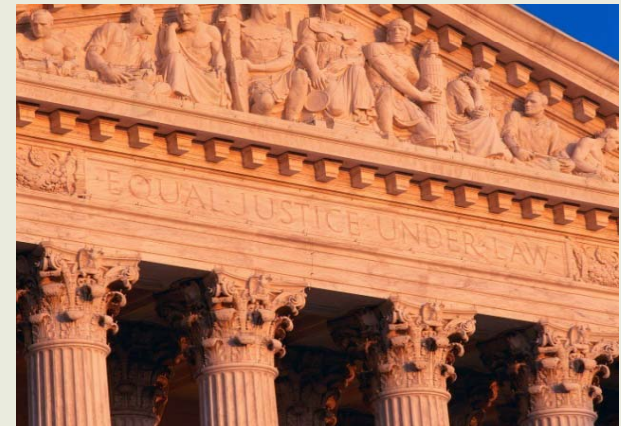
1. Section 1

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2. Section 2

- a) Monopolization
- b) Attempted Monopolization
- c) Conspiracy to Monopolize



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2. Section 2

B. The Clayton Act

1. Section 3
2. Section 7
3. Section 8

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2. Section 2 (Cont'd)

C. Robinson-Patman Act

D. Federal Trade Commission Act



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II. ENFORCEMENT

- A. Criminal Sanctions
- B. Treble Damages
- C. Contributions and Claim Reduction
- D. Injunctions and Consent Decrees

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III. SPECIFIC PROHIBITIONS

A. Agreements Among Competitors

- 1. Price Fixing**
- 2. Market Allocation**
- 3. Group Boycotts**

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III. SPECIFIC PROHIBITIONS

A. Agreements Among Competitors (Cont'd)

4. Other Restrictive Agreements
5. Exchange of Information Between Competitors



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III. SPECIFIC PROHIBITIONS

B. Agreements with Suppliers and Customers

- 1) Exclusive Dealing or Requirements contracts
- 2) Resale Price Maintenance
- 3) Reciprocity
- 4) Tying Arrangements
- 5) Territorial and Customer Restrictions

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III. SPECIFIC PROHIBITIONS

C. Price and other Forms of Discrimination

- 1. Price Discrimination**
- 2. Brokerage Payments to Buyers**





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