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FTC seeks to study Big Tech business practices to aid with antitrust investigations

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On Feb. 11, the Federal Trade Commission (FTC) issued Special Orders to Alphabet Inc. (including Google), Amazon.com Inc., Apple Inc., Facebook Inc., and Microsoft Corp. to provide information and documents on the terms, scope, structure and purpose of transactions that each company consummated between Jan. 1, 2010, and Dec. 31, 2019.^[1] The Special Orders are part of a 6(b) study to assess the sufficiency of the Hart-Scott-Rodino Antitrust Improvements Act of 1976^[2] (HSR Act) thresholds with respect to technology mergers and acquisitions of competitive significance.

The study follows a series of discussions, “Hearings on Competition and Consumer Protection in the 21st Century,” that focused on the effect large firms have on the rest of the business world when they make acquisitions.

The orders for more information are part of an overarching investigation into large technology firms that includes antitrust investigations by the FTC, the United States Department of Justice, and more than 40 state attorneys general. The FTC is also looking at data protection issues within the context of a growing number of data protection laws enacted across the world.

Commissioners Christine S. Wilson and Rohit Chopra released a joint statement applauding the move and calling for more action into the health sector next, as well as increased scrutiny of data protection policies in the United States:

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