

Questions & Answers

Antitrust

CAROLINA ACADEMIC PRESS
QUESTIONS & ANSWERS SERIES

- Questions & Answers: Administrative Law,
Fourth Edition**
Linda D. Jellum, Karen A. Jordan
- Questions & Answers: Antitrust, Second Edition**
Shubha Ghosh
- Questions & Answers: Bankruptcy, Second Edition**
Mary Jo Wiggins
- Questions & Answers: Business Associations,
Third Edition**
Douglas M. Branson, Seth C. Oranburg,
John Towers Rice
- Questions & Answers: Civil Procedure,
Fifth Edition**
William V. Dorsaneo, III, Elizabeth G. Thornburg,
Brooke D. Coleman
- Questions & Answers: Constitutional Law,
Fourth Edition**
Paul E. McGreal, Charles W. Rhodes
- Questions & Answers: Contracts,
Third Edition**
Scott J. Burnham
- Questions & Answers: Copyright Law,
Second Edition**
Dave Fagundes, Robert C. Lind
- Questions & Answers: Criminal Law,
Fifth Edition**
Paul Marcus
- Questions & Answers: Criminal Procedure—
Police Investigation, Fourth Edition**
Wayne A. Logan
- Questions & Answers: Criminal Procedure—
Prosecution and Adjudication, Fourth Edition**
Wayne A. Logan
- Questions & Answers: Employment Discrimination**
Marcia L. McCormick
- Questions & Answers: Environmental Law**
Dru Stevenson
- Questions & Answers: Evidence, Fifth Edition**
Paul C. Giannelli
- Questions & Answers: Family Law, Fourth Edition**
Mark Strasser
- Questions & Answers: Federal Estate & Gift
Taxation, Third Edition**
James M. Delaney, Elaine Hightower Gagliardi
- Questions & Answers: Federal Income Tax,
Second Edition**
James M. Delaney
- Questions & Answers: The First Amendment,
Fourth Edition**
Russell L. Weaver, William D. Araiza
- Questions & Answers: Health Law,**
Melissa B. Alexander, Deborah R. Farringer
- Questions & Answers: Intellectual Property,
Third Edition**
Gary Myers, Lee Ann Wheelis Lockridge
- Questions & Answers: International Law**
Rebecca Bratspies
- Questions & Answers: Patent Law**
Cynthia M. Ho
- Questions & Answers: Payment Systems,
Second Edition**
Timothy R. Zinnecker
- Questions & Answers: Professional Responsibility,
Fifth Edition**
Patrick Emery Longan
- Questions & Answers: Property,
Third Edition**
John Copeland Nagle, Donald J. Kochan
- Questions & Answers: Remedies,
Second Edition**
Rachel M. Janutis, Thomas Orin Main
- Questions & Answers: Secured Transactions,
Fourth Edition**
Bruce A. Markell, Timothy R. Zinnecker
- Questions & Answers: Torts, Fifth Edition**
Anita Bernstein
- Questions & Answers: Trademark and
Unfair Competition**
Vince F. Chiappetta
- Questions & Answers: Wills, Trusts, and Estates,
Fourth Edition**
Thomas M. Featherston, Jr., Victoria J. Haneman

Questions & Answers
Antitrust

*Multiple-Choice and Short-Answer
Questions and Answers*

SECOND EDITION

Shubha Ghosh

CRANDALL MELVIN PROFESSOR OF LAW
DIRECTOR, SYRACUSE INTELLECTUAL PROPERTY LAW INSTITUTE &
TECHNOLOGY COMMERCIALIZATION LAW PROGRAM
SYRACUSE UNIVERSITY COLLEGE OF LAW



CAROLINA ACADEMIC PRESS

Durham, North Carolina

Copyright © 2024
Shubha Ghosh
All Rights Reserved

Library of Congress Cataloging-in-Publication Data

Names: Ghosh, Shubha, author.

Title: Questions & answers : antitrust / Shubha Ghosh.

Other titles: Antitrust

Description: Second edition. | Durham, North Carolina : Carolina Academic Press, LLC, 2024. |

Series: Questions & answers series | Includes bibliographical references and index.

Identifiers: LCCN 2024023610 | ISBN 9781531030247 (paperback) | ISBN 9781531030254 (ebook)

Subjects: LCSH: Antitrust law--United States--Examinations, questions, etc.

Classification: LCC KF1649 .G48 2024 | DDC 343.7307/21076--dc23/eng/20240528

LC record available at <https://lccn.loc.gov/2024023610>

Carolina Academic Press
700 Kent Street
Durham, North Carolina 27701
(919) 489-7486
www.cap-press.com

Printed in the United States of America

Table of Contents

Preface	vii
About the Author	ix
Questions	
Topic 1: Antitrust Policy and Background	3
Topic 2: Antitrust Economics	7
Topic 3: Antitrust Institutions	13
Topic 4: Horizontal Restraints and Cartels	19
Topic 5: Vertical Restraints	27
Topic 6: Monopolization	35
Topic 7: Monopolistic Conduct	41
Topic 8: Attempted Monopolization	49
Topic 9: Mergers and Acquisitions	53
Topic 10: Price Discrimination	59
Practice Final Exam Questions	67
Answers	
Topic 1: Antitrust Policy and Background	77
Topic 2: Antitrust Economics	81
Topic 3: Antitrust Institutions	85
Topic 4: Horizontal Restraints and Cartels	89
Topic 5: Vertical Restraints	95
Topic 6: Monopolization	101
Topic 7: Monopolistic Conduct	105
Topic 8: Attempted Monopolization	111
Topic 9: Mergers and Acquisitions	115
Topic 10: Price Discrimination	119
Practice Final Exam Answers	125
Index	131

Preface

Antitrust law offers many challenges to students and practitioners. Antitrust opinions are fact intensive, filled with legal analysis informed by economic policy analysis and business history. Cases can be long and difficult to read, and the legal arguments, technical. In many ways, the study and practice of antitrust law brings together the various tools of legal analysis you might encounter in law school: common law thinking, statutory interpretation, constitutional analysis, administrative law, and international law.

The challenges of Antitrust law is what makes the course an exciting one. If you are interested in intellectual property, economic regulation, business policy, or legal history, the study of Antitrust law will be rewarding. A study guide like this one provides a review and test of the knowledge you have gleaned from your course. Although the problems in this book are not keyed to any one of the many Antitrust law casebooks on the market, the questions are structured around the major antitrust cases, antitrust history, and antitrust statutory provisions that all casebooks and courses cover. Working through the following questions will give you a valuable review and preparation for your course's final exam.

Each student will find different ways to review these questions. One way is to review the questions after you finish one of the topics covered by a specific chapter. The Index and the Table of Contents provide key terms to guide you through the questions and connect them to materials covered in your Antitrust course. The Answers offer detailed discussion of the doctrines being tested in the Questions and include citations to relevant cases and statutes. Not only can the Questions and Answers test your knowledge, they can be helpful in developing your outline for the course.

What I hope you learn beyond the rules of Antitrust law is the challenge of Antitrust law and policy. Once you get beyond the challenges, you will find Antitrust law engaging and intellectually rewarding. Enjoy!

Shubha Ghosh
Madison, WI
Syracuse, NY

About the Author

Shubha Ghosh is Crandall Melvin Professor Law and Director, Syracuse Intellectual Property Law Institute & Technology Commercialization Law Program, Syracuse University College of Law. He teaches and writes in the fields of intellectual property law and competition policy. He earned his bachelor's degree from Amherst College, his doctoral degree in economics from The University of Michigan, and his JD from Stanford.

