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WLF Asks DC Circuit to Reject Decree That Exceeds the Equitable Bounds of Antitrust Relief (*United States v. Google LLC*)

“The district court’s forced-sharing remedy risks eroding the procompetitive aims of antitrust law and invites rent-seeking lawsuits by rivals.”

— Cory L. Andrews, WLF General Counsel & Vice President of Litigation

WASHINGTON, DC—Washington Legal Foundation (WLF) today urged the U.S. Court of Appeals for the District of Columbia Circuit to reverse a sweeping remedies decree against Google LLC. In its amicus brief, WLF contends that the U.S. District Court for the District of Columbia exceeded the equitable bounds of antitrust relief by imposing affirmative duties to deal that bear no causal connection to the violations found at trial.

The case arises from consolidated appeals challenging the district court’s liability and remedies rulings in the government’s antitrust action against Google’s search practices. After finding Google liable under Section 2 of the Sherman Act for exclusive distribution agreements, the district court imposed remedies that included forced sharing with rivals of proprietary search-index metadata and user data, plus syndication of search results and ads under ongoing court supervision through a Technical Committee. Google appealed both the liability finding and the remedies, while plaintiffs cross-appealed seeking even broader relief.

In its amicus brief urging reversal, WLF argues that the decree violates longstanding limits on antitrust remedies by imposing court-created duties to deal without evidence that forced sharing will remedy any specific violations found. The decree also reaches adjudicated GenAI markets and creates improper ongoing judicial oversight. These defects conflict with Supreme Court precedent in *Verizon v. Trinko* and the DC Circuit’s decisions in *Microsoft III* and *Massachusetts v. Microsoft*. WLF urges the D.C. Circuit to reverse the overbroad remedies decree and restore the proper bounds of equitable antitrust relief.

Celebrating its 49th year, WLF is America’s premier public-interest law firm and policy center advocating for free-market principles, limited government, individual liberty, and the rule of law.

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