Work of the ACCC and competition issues in digital platform markets

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QETA Economics Conference, 15 July 2023

Overview

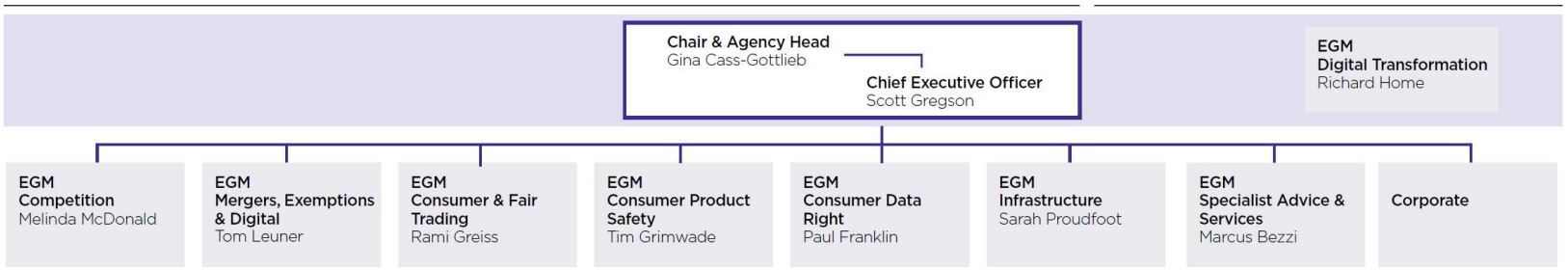
1. Overview of the ACCC's work
2. Work of the Digital Platforms Branch
3. Big Tech acquisitions and the ACCC's mergers reform proposals
4. Enforcement case study: the EU Google Android decision
5. Questions

Attachments – international Big Tech merger cases, the EU Google Shopping case, the US ad tech case(s)

Overview of the ACCC's work

Overview of the ACCC

- Independent government authority responsible for promoting competition, fair trading and product safety for the benefit of consumers, businesses and the economy
  - Enforcement of the Competition and Consumer Act 2010 (Cth) (CCA)
  - Regulation of national infrastructure (energy is the responsibility of the Australian Energy Regulator)
  - Market studies as directed by the government
  - Implementing the Consumer Data Right
- To make markets work for consumers, now and in the future



Enforcement and competition functions – 2021-22 outcomes

ENFORCEMENT

$231.6m total penalties awarded by the court

$219.4m from consumer and fair trading matters

$12m from competition matters

19 consumer and fair trading infringement notices totalling $0.2m paid

14 court cases commenced

12 court cases concluded

21 court cases continuing

MERGERS AND EXEMPTIONS

463 mergers assessed

- 437 merger matters finalised by preassessment
- 26 subject to public review

14 investigations of completed acquisitions commenced

58 non-merger authorisation applications assessed

INFRASTRUCTURE

9 major regulatory decisions

28 monitoring reports across 8 infrastructure sectors

8 investigations into potential breaches of rules

666,720 views on the petrol price cycles webpage

28,598 page views of Measuring Broadband Australia consumer dashboard

Consumer functions - 2021-22 outcomes

CONSUMER PRODUCT SAFETY

2,793
mandatory injury reports assessed

365
voluntary recall notifications published

4,076,949
Product Safety Australia website page views

3 consultations on standards

6 consumer awareness campaigns

9 media releases and safety alerts

SCAMS

7.3 million
Scamwatch website visits

272,000
scam reports received by Scamwatch

150+
disseminations by Scamwatch of scam reports on high risk or current scam trends to law enforcement and government

Scamwatch was awarded the international Scam Fighter Award 2022

CONSUMER DATA RIGHT

76 active data holders (entities) in the banking sector representing an estimated combined market share of 99.18% of Australian household deposits

32 accredited data recipients (20 of which were active)

27 data recipient representative arrangements notified to the ACCC

INFOCENTRE

379,902
Infocentre contacts served

ACCC Chair and Commissioners

Chair Gina Cass-Gottlieb

Deputy Chair Mick Keogh

Deputy Chair Catriona Lowe

Commissioner Anna Brakey

Commissioner Liza Carver

Commissioner Peter Crone

Commissioner Stephen Ridgeway

- Papers go to subject matter Boards/Committees for discussion/decision (sub-set of Commissioners)
- Then to Commission, as required (all Commissioners)

Work of the Digital Platforms Branch

The ACCC's market studies on digital platforms

Digital Platforms Inquiry 2017-2019

Digital Platforms Services Inquiry (DPSI) 2020-25

On 10 February 2020, the Treasurer directed the ACCC to conduct a five-year inquiry into markets for the supply of **digital platform services.**

Ad Tech Inquiry 2021

Digital Platforms Inquiry (2019)

July 2019

ACCC's Digital Platforms Inquiry
Final Report

- The Inquiry examined the impact of digital platforms on competition in media and advertising services markets and its implications for advertisers, consumers, news and journalism.

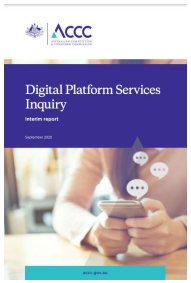
Competition findings

- **Google** has substantial market power in general search services and search advertising in Australia. **Facebook** (now Meta) has substantial market power in social media services and display advertising in Australia.
- Google and Facebook has substantial bargaining power in their dealings with news media businesses.

Consumer findings

- Many digital platforms can collect a large amount and variety of data on a user's activities beyond what the user actively provides while they are using the digital platform's services.
- Several features of consumers' current relationship with digital platforms prevent consumers from making informed choices, including bargaining power imbalances, information asymmetries between digital platforms and consumers and inherent difficulties for consumers to accurately assess the current and future costs of providing their user data.
- Many digital platforms seek consumer consents to their data practices using **clickwrap agreements** with take-it-or-leave-it terms that bundle a wide range of consents and many digital platforms' **privacy policies** are long, complex, vague, and difficult to navigate.
- Despite consumers being particularly concerned by location tracking, **online tracking** for targeted advertising purposes and third-party data-sharing, these data practices are generally permitted under digital platforms' privacy policies.

Digital Platform Services Inquiry reports



September 2020: Online private messaging services

September 2021: Search defaults and choice screens

September 2022: Regulatory reform for digital platforms

September 2023: Expanding ecosystems

September 2024

March 2024: Data brokers

March 2021: App marketplaces

March 2022: General online retail marketplaces

March 2023: Social media

March 2025: Final report due to Treasurer

Regulatory reform report (report #5)

Identified significant consumer & competition harms

Limitations of enforcement of existing laws

International momentum is building

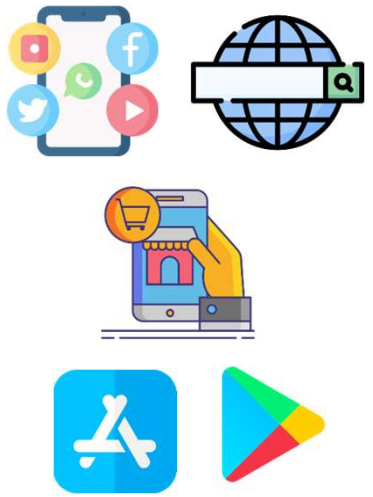
Scope and scale of harms suggests reform is needed now

The ACCC thought it was time to consider:

1. Whether **new regulatory tools are needed** to address competition and consumer harms in the supply of digital platform services in Australia?
2. If so, what **form** should these take, **who** should they apply to and what is **the content of the rules** required?

Concerns in digital platform markets

- **Characteristics of digital platform markets**, including large economies of scale, direct and indirect network effects, vertical integration, expanding ecosystems of products and services and the important role of data **make these markets prone to competition issues**
- The **market power** and **gatekeeper role** of some digital platforms provide the ability and incentive to engage in strategic conduct to entrench or extend market power
- Increased market concentration and a range of systemic and widespread **anti-competitive conduct**
- Consumer harms from **scams, harmful apps and fake reviews** and **inadequate dispute resolution**



Concerning conduct

- **Self-preferencing**, for example, Google promoting its own services in search results on Google Search
- **Tying**, for example, access to Google's YouTube advertising being tied to the use of Google's ad tech services
- **Exclusive pre-installation and default agreements**, for example, Google pays billions of dollars worldwide each year to have Google Search set as the default search service on Apple mobile devices
- **Raising barriers to switching and denying interoperability**, for example, prohibiting app developers from communicating other ways to purchase an app or services in an app in Google or Apple's app stores
- **Lack of transparency**, for example, in ad tech fees and ad verification data
- **Withholding access to hardware, software, and data inputs** (i.e., denying interoperability), such as Apple denying access to its Near-Field Communications technology to allow contactless mobile payment
- **Unfair treatment of business users**, for example, inconsistent review of apps in app stores, and price parity clauses

Current laws are insufficient

- Enforcement of the Competition Act and Australian Consumer Law alone **may not be sufficiently timely**
- Laws are not well-suited to addressing the **range and scale of harms in digital platform markets**
- **Remedies available** may not address underlying harms from anti-competitive conduct
- **Key gaps in consumer law** as it does not expressly prohibit some types of conduct that cause significant harm to consumers

Recommendations provided to Government

Consumer measures

1. Economy wide

- Prohibition on unfair trading practices
- Improved unfair contract term laws

2. Digital platforms providing intermediary services

- Mandatory processes for scams, harmful apps and fake reviews
- Mandatory dispute resolution processes

Competition measures

3. Codes of conduct for designated digital platforms

- Power to make mandatory service-specific codes of conduct based on principles in legislation
- Codes to apply to designated firms

4. Competition obligations in codes of conduct

Codes to include targeted obligations to address:

- anti-competitive conduct
- barriers to entry
- unfair treatment of business users

Two key elements in the competition framework

A digital platform is **designated** in respect of a service

- **Designated digital platforms** are platforms that meet certain criteria reflecting their critical position in the Australian economy and ability and incentive to harm competition
- Criteria could based on:
  - **Quantitative criteria**
  - **Qualitative criteria** or
  - A **combination** of both
- Designation is in respect of a digital platform and one or more digital platform services it provides

A **code of conduct** is developed for that service

- New targeted up-front competition obligations in **mandatory service-specific codes** to work alongside Australia's existing competition laws
- To address the conduct and barriers to entry identified in the relevant market
- Obligations of the code are guided by **high level principles:**
  - Fair trading & transparency for digital platform users
  - Competition on the merits
  - Informed & effective consumer choice

International context

Common issues have been identified overseas and similar reforms are occurring globally

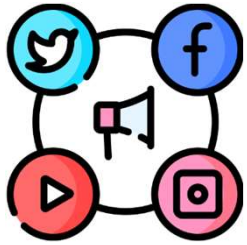
- The consumer and competition issues we have identified are largely consistent with those seen overseas.
- Aware of regimes overseas including:
  - the European Union's Digital Services Act (Regulation (EU) 2022/2065) and Digital Markets Act (Regulation (EU) 2022/1925)
  - the United Kingdom's Digital Markets, Competition and Consumers Bill
  - the 10th Amendment to the German Competition Act which provides the Bundeskartellamt the ability to designate platforms of 'paramount significance for competition across markets'
  - Japan's Act on Improving Transparency and Fairness of Digital Platforms
  - Consideration of new laws in the US, India, Japan and South Korea

Importance of international alignment

- Benefit in developing measures that align, where possible
- Reduced regulatory burden on digital platforms
- Increased compliance
- Ensure that beneficial changes made overseas are implemented in Australia
- Ongoing international cooperation with relevant regulators is especially important, given the global nature of the largest digital platforms

Next steps and future reports of the Digital Platform Services Inquiry

- The Australian Government consulted on the report's recommendations from 20 December 2022 until 15 February 2023 and we are awaiting the Government's response
- The 6th DPSI interim report on **social media services** was published on 28 April 2023
- The 7th DPSI interim report will examine the **expanding ecosystems** of digital platform service providers. An issues paper has been released and the report is due September 2023
- The 8th DPSI interim report will examine **data brokers**. An issues paper was released on Monday and the report is due March 2024



Big Tech acquisitions and the ACCC's merger reform proposals

ACCC's merger review functions

Section 50 of the CCA prohibits mergers or acquisitions which would have the effect or likely effect of **substantially lessening competition** in a market for goods or services in Australia

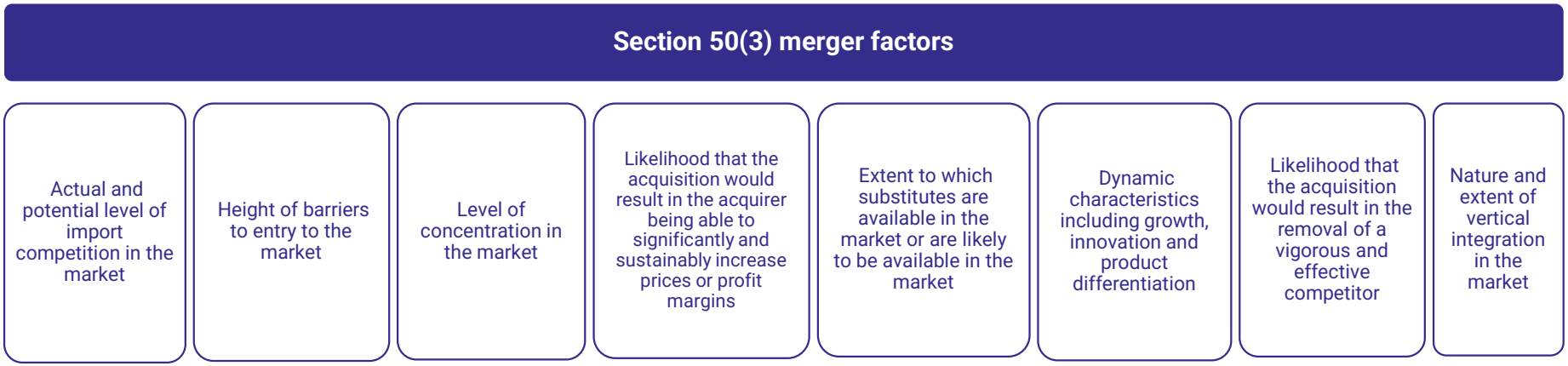
Section 90(7) allows the ACCC to grant **merger authorisation** when it is satisfied that either the:

- proposed acquisition is not likely to SLC, or
- there is a net public benefit

- The ACCC reviews mergers against s. 50. Merger parties can seek the ACCC's views on a proposed merger through:
  1. **Public informal merger review:** an informal process that provides no protection from legal action
  2. **Merger authorisation:** a formal process that gives statutory protection from certain legal action
- Australia's merger regime is **voluntary, informal and enforcement based.** There is **no compulsory notification requirement** for mergers in Australia or a requirement for merger parties to wait for the ACCC's view before completing the transaction.
- If the ACCC considers a merger is anti-competitive and if the merger parties do not voluntarily abandon the transaction or offer remedies, the **ACCC must take action in the Federal Court of Australia to seek orders to prevent or unwind the transaction.**

The ACCC's approach to section 50 merger assessments

- **Case-by-case approach** including considering the specific nature of the transaction, the industry and the competitive impact resulting from the transaction.
- Section 50(3) requires the following **merger factors** to be taken into account. These are non-exhaustive and other factors not listed may also be relevant. The merger factors provide insight on the likely competitive pressure the merged firm will face following the merger and the possible competitive effects of the merger.
- Assessment is based on the **theories of harm** – unilateral (horizontal and vertical) and coordinated effects.

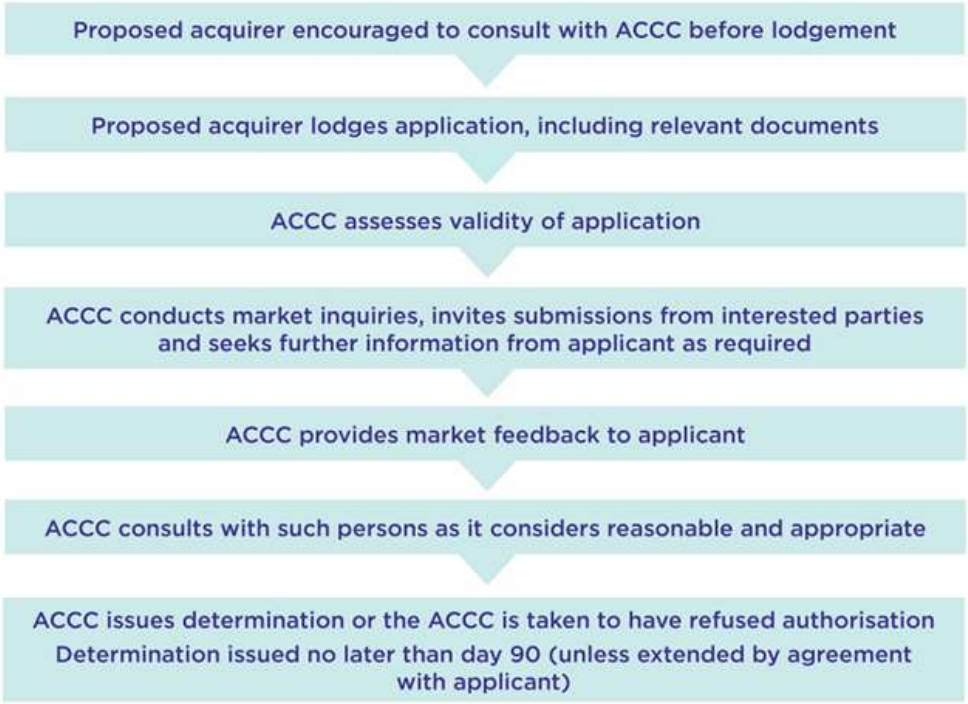


Analysis undertaken in merger assessments

- **Market definition:** the ACCC examines the competitive impact of the proposed merger or acquisition in the context of relevant markets including product and geographic dimensions, the availability of substitutes
  - Hypothetical Monopolist Test/SSNIP test
- **Barriers to entry and expansion:** whether entry/expansion is likely if the merged entity increases prices/reduces quality
- **Counterfactual:** the future with and without the proposed merger or acquisition
- **Competition analysis** involves considering the **merger factors** and the **theories of harm** relevant to the transaction
- Theories of harm explain how the merger will impact competition:
  - **Unilateral effects** are where a firm can unilaterally undertake conduct (e.g., increase prices)
    - **Vertical foreclosure**: the ability and incentive to foreclose rivals
    - **Conglomerate effects**: bundling or tying products to harm competitors
  - **Coordinated effects** refer to the ability or two or more firms acting together to affect competition
- The ACCC's **information gathering tools** include:
  - market inquiries with industry, customers, competitors and relevant stakeholders
  - voluntary information requests
  - compulsory notices.

Merger authorisation process

- **Formal process** that provides **statutory protection** from legal action (unlike informal merger review)
- ACCC must be satisfied that the proposed acquisition:
  a) is not likely to substantially lessen competition **OR**
  b) the likely benefit from the proposed acquisition outweighs the likely resulting public detriment
- **Public process**: application, submissions and the ACCC's determination are on the public register
- 90-day timeline (can extend by consent)
- Parties may seek review of the ACCC's decision to the Australian Competition Tribunal.



Recent approaches to Big Tech acquisitions

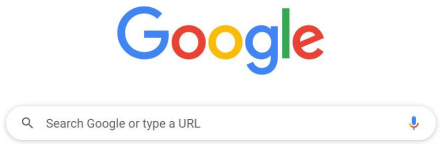
- Google, Meta, Apple, Microsoft and Amazon have made hundreds of acquisitions – many involving nascent or potential competitors
- Until recently, none were challenged by regulators at the time
- Recently, regulators have taken a more active approach to merger enforcement given acquisitions can eliminate potential competition and can further expand and entrench digital platform's market power
- Recent examples include:
    - UK Competition and Markets Authority (CMA) and Meta/Giphy
    - US Federal Trade Commission (FTC) and Meta/Within
    - Recent US actions to unwind previous transactions such as Meta's acquisitions of Instagram and WhatsApp and the Google/DoubleClick case.

The ACCC's merger reform proposals

- On 12 April 2023, ACCC Chair Gina Cass-Gottlieb discussed the ACCC's views on required merger law reforms in her address to the National Press Club. The ACCC's key proposals include:
- A move from a voluntary enforcement model to a **formal clearance model** requiring:
  - Merger parties to satisfy the ACCC that the proposed acquisition is not likely to substantially lessen competition before they can proceed
  - That the ACCC is **notified of mergers that meet specific thresholds** and that these transactions be **suspended** without ACCC clearance
  - A "**call in**" **power** for the ACCC to scrutinise transactions that don't meet the notification thresholds but still raise competition concerns
  - Merger parties to provide relevant information upfront to the ACCC
  - Notification waivers granted to merger parties proposing non-contentious transactions
  - The ACCC or Australian Competition Tribunal (on review) would not clear a merger unless it is satisfied that the transaction is not likely to substantially lessen competition
  - The Federal Court would continue to consider applications for declaration, judicial review and mergers that do not trigger the notification thresholds
- **Changes to the relevant SLC test in section 50**:
  - Additions to make it clear the substantial lessening of competition test includes **"entrenching, materially increasing or materially extending a position of substantial market power"**
    - This would help address creeping acquisitions and place a greater focus on the overall enhancement of dominant positions by large firms in a market
  - Modernising the **merger factors** in section 50(3) to focus on changes occurring overall as a result of the merger, including whether the merger would result in increased access to data and technology and whether the acquisition is part of a series of relevant acquisitions
- It is ultimately up to the Government to consider and progress any reforms

Enforcement case study: European Commission vs. Google (Android decision)

EC Google Android Case: 2018 and 2022



- Initial decision in 2018, appeal concluded in 2022
- Case commenced from a complaint in 2013 by industry association FairSearch
- Conduct: anti-competitive contractual restrictions on manufacturers of mobile devices (original equipment manufacturers - OEMs) and on mobile network operators since at least 2011, including in:
  - 'distribution agreements', requiring manufacturers of mobile devices to pre-install the general search (Google Search) and (Chrome) browser apps in order to be able to obtain a licence from Google to use its app store (Play Store) (***pre-installation agreements***)
  - '**anti-fragmentation agreements**', under which the operating licences necessary for the pre-installation of the Google Search and Play Store apps could be obtained by mobile device manufacturers only if they undertook not to sell devices running versions of the Android operating system not approved by Google
  - '**revenue share agreements**', under which the grant of a share of Google's advertising revenue to the manufacturers of mobile devices and the mobile network operators concerned was subject to their undertaking not to pre-install a competing general search service on a predefined portfolio of devices

Google Android Case: markets

- Relevant markets:
  1. worldwide market (excluding China) for the licensing of smart mobile device operating systems (OS)
  2. worldwide market (excluding China) for Android app stores
  3. various national markets, within the EEA, for the provision of general search services
  4. worldwide market for non OS-specific mobile web browsers

- Concluded that Google has dominance in the first three markets
  - Regarding 1 – market share, BTEE, lack of countervailing power and insufficient indirect constraint from non-licensable smart mobile OSs (such as Apple's iOS) (last point contested in appeal)
  - Regarding 2 – market share, quantity and popularity of apps on the Play Store, the automatic update functionalities of the Play Store, BTEE, lack of countervailing buyer power of OEMs, insufficient constraint from app stores for non-licensable smart mobile OSs (such as Apple's AppStore).
  - Regarding 3 – based market shares, the existence of barriers to entry and expansion, the infrequency of user multi-homing and the existence of brand effects and the lack of countervailing buyer power

Google Android Case: conduct

- How would you categorise the conduct?
  - Tying
  - Exclusivity

- Relevant considerations:
  - How much of the market is subject to these contractual agreements?
  - Do the arrangements constitute exclusive arrangements (i.e., the pre-installation and revenue sharing arrangements)
  - Pre-installation: Behavioural insights – status quo bias – important to why pre-installation matters (see also Microsoft) – also, actual behaviour of consumers in downloading alternatives
  - Revenue-sharing: do these incentives amount to exclusivity?
  - As efficient competitor test
  - Lack of objective justification for the tying of the App Store and Search apps
  - Combined impact of all conduct

Google Android Case: outcome and appeal

- Original fine of €4.343 billion
- Decision largely upheld but found:
  - EC's analysis of revenue sharing arrangements and use of the AEC test flawed – e.g., contracts cover only mobile devices (not all search)
  - Procedural errors e.g., note-taking of meetings, should have been a process to allow Google an oral hearing on 'supplementary statement of objections'
  - 5% reduction in the fine to €4.125 billion
- Remedy: unbundling of services and EU Choice Screen

Thank you. Any questions?

Attachments

Selected international digital platform cases – mergers and unilateral conduct

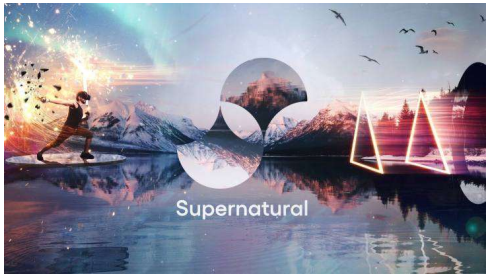
International digital platform mergers

Meta/Giphy and dynamic competition

- The UK CMA blocked Meta's acquisition of Giphy in November 2021, marking the first time a competition authority blocked an acquisition by a digital platform.
- The CMA found the transaction resulted in a substantial lessening of competition, due to:
  - Horizonal effects resulting from the loss of potential competition in display advertising, and
  - Vertical effects on competition in the supply of social media from input foreclosure.
- **Killer acquisition?**
  - Internal documents had shown that Giphy 'hoped' to develop its product and expand internationally but had not yet done so. Facebook shut down Giphy's advertising product once it took over.
- **Vertical effects**
  - CMA found that Facebook would deny or limit other platforms' access to Giphy GIFs and change terms of access by requiring other platforms to provide more user data to access Giphy GIFs.
- Meta appealed CMA's decision to the Competition Appeal Tribunal, which upheld the CMA's theories of **dynamic competition**.
- The Competition Appeal Tribunal endorsed the CMA's theories and noted that it has "no hesitation in concluding that the decision made by the CMA was one that it was entitled to make".

Meta/Within and potential competition

- In July 2022, the US FTC filed a complaint to block Meta from acquiring Within (which creates the virtual reality fitness app, Supernatural)
- FTC's complaint alleged the transaction would expand Meta's dominance in the nascent consumer VR market and would eliminate a rival of Meta's competing app, Beat Saber
- Also alleged that Meta was in the process of launching its own VR fitness app but opted to acquire Within and Supernatural (killing off potential competition)
- In February 2023, Judge Edward Davila from the US District Court of California ruled in favour of Meta. However, the judgment (while not binding on any court) provides a **roadmap for challenging future mergers and acquisitions in digital and nascent markets**
- FTC Chair Lina Khan noted 3 elements of the opinion that are relevant for future cases:
  - The nascent nature of the VR fitness app market does not compensate for the fact that Supernatural has a commanding position in the market
  - The practical approach to defining the market and that applying the hypothetical monopolist test was not necessary to find that Supernatural was dominant in the VR fitness app market
  - Enforcers only need to show that a firm has 'reasonable probability' of entering a market with its own competing product – a lower standard than what might have been applied by other courts



Other US actions to unwind previous transactions

- The FTC is seeking to unwind **Meta's acquisitions of WhatsApp and Instagram**
  - In December 2020, the FTC sued Meta for illegal monopolisation, alleging Meta illegally maintained its monopoly through years of anti-competitive conduct, including its acquisitions of potential rivals WhatsApp and Instagram and anti-competitive conditions on software developers
  - A US District Court dismissed the FTC's complaint in June 2021
  - The FTC refiled its complaint in August 2021 and it was permitted to go forward in January 2022
- Separately, the US Department of Justice sued Google in January 2023 for monopolising digital advertising technologies through anticompetitive, exclusionary and unlawful conduct
  - Alleged that Google's acquired competitors to obtain control over key digital advertising tools, forced the adoption of Google's tools, distorted auction competition and auction manipulation
  - The DoJ is seeking various remedies, including structural separation. If successful, this could unwind **Google's acquisition of DoubleClick**

At the same time, the regulators have also reviewed and cleared many other Big Tech acquisitions

Microsoft | NUANCE

Kustomer

photomath

Other international unilateral conduct cases

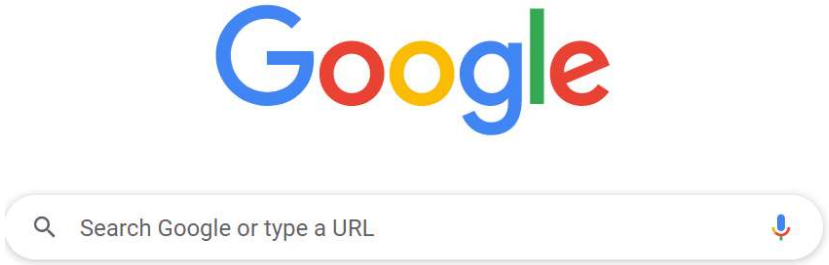
EC Google Shopping Case: 2017 and 2021

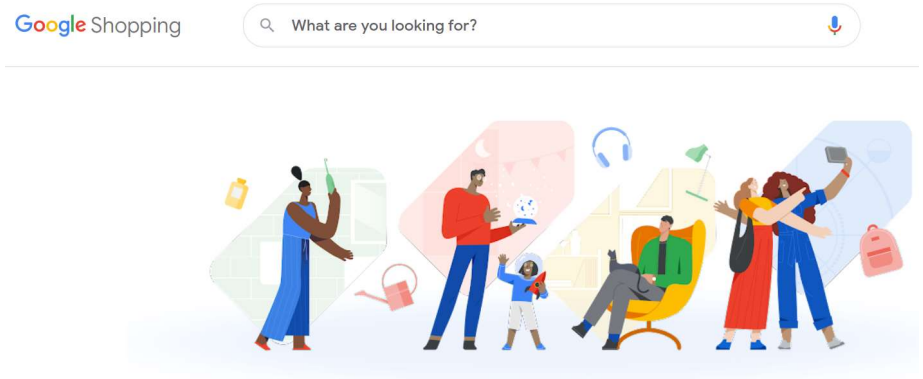
Google Shopping

- Initial decision in 2017, appeal concluded in 2021
- About the prominence that Google provided its own comparison shopping service (CCS) in the provision of online general search services – essentially an anti-competitive self-preferencing case
- Fine of €2.424 billion
- Remedy to treat competing CCSs the same as Google's CCS

Google Shopping Case: markets

- Relevant markets:
  - National markets for online general search services
  - National markets for online comparison shopping services





Google Shopping Case: Theory of harm

- Theory of harm:
  - Position and display of Google's CCS in its online general search service was more favourable than for competing CCSs
  - This increased traffic to Google's CCS compared to other CCSs
  - Traffic from Google's online general search service essential to CCSs and not able to be replaced from other sources
  - High traffic essential to CCSs to attract sellers, improve offerings, improve search results
  - Conduct allowed Google to extend its dominance in online general search services into market for specialised CCSs
  - Conduct also reinforced Google's dominance in online general search services

Google Shopping Case: considerations

- EC considered:
  - Actual behaviour of users
  - Importance of traffic
  - Percentage of CCS traffic that comes through Google Search
- Google made the following defences:
  - Objectively necessary
  - Efficiency gains for consumers

Google Shopping Case: appeal

1. Conduct is consistent with competition on the merits (i.e., quality improvements) – rejected by the court given EC's considerations outlined on previous page as well as the fact that an unbiased online general search engine would not always display one company's service first and also given changes to Google's practices when its CCS first failed
2. Conduct is not discriminatory – rejected by the court given rich-format boxes only used for Google's CCS and fact that this always appeared at the top of Google's search results
3. Conduct did not have anti-competitive effects (the EC did not undertake counterfactual analysis) – the court rejected this in respect of national CCS markets noting that counterfactual analysis is not required where a causal link between conduct and the outcomes (in this case a decrease in traffic to competing CCSs) can be demonstrated, but accepted this in respect of general online search services
4. There are objective justifications for the conduct (e.g., impossible to give same weight to competing CCSs since it is not clear how those services work) – rejected by the court (not a relevant consideration)

US Ad Tech case against Google – 24 Jan 2023

Three markets put forward: publisher ad servers, ad exchanges, and advertiser ad networks, all in the US

Claimed conduct:

- Acquisition of actual/potential competitors (e.g. DoubleClick and AdX in 2008, AdMob in 2009, Invite Media in 2010, AdMeld in 2011)
- Exclusionary conduct: access to Google Ads only for users of Google's publisher ad server (DFP) and ad exchange (AdX)
- Conflict of interest as the major player on either side of the exchange (for publishers and advertisers) and as the exchange operator
  - Opaque, self-serving rules that gave Google advantages over competitors (e.g., Waterfall Bidding, Dynamic Allocation, Enhanced Dynamic Allocation, Dynamic Revenue Share, Project Bernanke, Project Bell, Open Bidding, Project Poirot, Unified Pricing Rules, Accelerated Mobile Pages)
  - Opaque and inflated prices
- "Network Bidding Agreement' with Facebook

Theory of harm: conduct has raised barriers to entry to deny competitors scale which, given network effects (regarding users, impressions and data for targeting) is very important in ad tech, and no procompetitive justification

Claimed harm:

- Higher advertising prices
- Opacity/lack of visibility for users
- Lack and control and choice for users
- Reduced innovation

Evidence:

- Market shares and profits
- High prices – Google takes > 30 cents in the $
- Sacrificing short term revenue for long term profit
- Internal docs and statements by Google execs

Remedies sought:

- Damages and costs
- Divestiture of DFP and AdX at a minimum
- Enjoin Google in engaging in described anticompetitive practices (or those with same effect)

Favourite quote:

'Google, has corrupted legitimate competition in the ad tech industry by engaging in a systematic campaign to seize control of the wide swath of high-tech tools used by publishers, advertisers, and brokers, to facilitate digital advertising. Having inserted itself into all aspects of the digital advertising marketplace, Google has used anticompetitive, exclusionary, and unlawful means to eliminate or severely diminish any threat to its dominance over digital advertising technologies.'

Filing: US DOJ with Virginia, California, Colorado, Connecticut, New Jersey, New York, Rhode Island, Tennessee v. Google

See also Ad Tech case against Google brought by Texas and 16 states plus Puerto Rico in 2020 which is still progressing