



The *George Mason Law Review*, in partnership with the George Mason Law and Economics Center and sponsor Kelley Drye & Warren LLP, invites you to attend its 15<sup>th</sup> Annual Symposium on Antitrust Law.

The symposium, entitled “**Antitrust in High-Tech Industries**,” will focus on the proper role of antitrust in high technology industries, including the extent to which current competition policy is adequate to address dynamic competition concerns that are prevalent in rapidly evolving sectors. Panels will explore the application of antitrust laws to social media, mergers, online search, and online advertising.

The Keynote Address will be delivered by former Federal Trade Commission Chairman, William Kovacic.

***Location:***

Founders Hall, George Mason University School of Law  
3301 Fairfax Drive  
Arlington, Virginia 22201

For information about the full program and to **register**, please visit:

**[www.law.gmu.edu/gmulawreview/symposium/](http://www.law.gmu.edu/gmulawreview/symposium/)**

or contact Katie Brown, Symposium Editor, at [gmusymposium@gmail.com](mailto:gmusymposium@gmail.com) or 703-375-9529.



## AGENDA

January 26, 2012

8:00am – 5:00pm

Founders Hall Auditorium

George Mason University School of Law

**8:00 – 8:30 a.m. Registration and Continental Breakfast**

**8:30 – 8:35 a.m. Welcome and Introduction**

**8:35 – 10:00 a.m. Panel 1: Perspectives on High-Tech Antitrust**

Howard Shelanski, *Georgetown University Law Center*

Herbert Hovenkamp, *University of Iowa College of Law*

George L. Priest, *Yale Law School*

Keith Hylton, *Boston University School of Law*

The first panel provides a macro analysis of the role of antitrust in high technology markets. Speakers will address the extent to which antitrust laws are well-suited to ferret out conduct that has the potential to harm innovation. This panel will focus particularly on the application of Section 2 of the Sherman Act and Section 5 of the FTC Act to rapidly changing markets, and whether the potential for errors outweighs the benefits of antitrust application.

**10:15 – 11:45 a.m. Panel 2: Social Media**

Catherine E. Tucker, *MIT Sloan School of Management*

Spencer W. Waller, *Loyola University, Chicago School of Law*

Frank Pasquale, *Seton Hall Law School*

The second panel examines the extent to which social networking raises antitrust concerns. Speakers will focus on concerns such as measuring monopoly or market power of social networks under Section 2 of the Sherman Act, and what type of conduct might rise to the level of an antitrust violation. This panel will also discuss the role that Section 5 of the FTC Act may play in this nascent area and whether privacy has any place in competition analysis.

**11:45 – 1:45 p.m. Luncheon and Keynote Address**

William E. Kovacic, *The George Washington University Law School*



**1:45 – 3:15 p.m.**

**Panel 3: Mergers**

Luke M. Froeb, *Vanderbilt University*

Thomas W. Hazlett, *George Mason University School of Law*

Jonathan B. Baker, *American University Washington College of Law*

The third panel will focus more specifically on how the antitrust laws treat mergers in high-tech industries. Traditional merger analysis focuses on the degree to which a combination of producers is likely to lessen competition on price, output, and quality. Recent high-profile mergers in rapidly evolving industries have brought the potential conflicts between the goals of promoting short-run competition and innovation into relief. Speakers will examine topics such as: To what extent do agencies account for dynamic considerations in their merger analysis under Section 7 of the Clayton Act? Do the 2010 Merger Guidelines mark an improvement in incorporating dynamic considerations? What should the agencies count as efficiencies in their legal analysis?

**3:30 – 4:45 p.m.**

**Panel 4: Search and Online Advertising**

William C. MacLeod, *Kelley Drye & Warren LLP*

Joshua D. Wright, *George Mason University School of Law*

Daniel Crane, *University of Michigan Law School*

Scott A. Sher, *Wilson Sonsini Goodrich & Rosati*

The fourth panel will examine the proper antitrust analysis of online search. It will focus on the recent FTC investigation of Google and the extent to which Section 5 of the FTC Act or Section 2 of the Sherman Act may reach firms that conduct online search. This panel also will discuss the proper antitrust analysis of double-sided markets, like online search, where a platform sells a product to consumers and to advertisers.

**4:45 – 5:00 p.m.**

**Closing Remarks**

**5:00 – 6:00 p.m.**

**Cocktail Reception**

*Sponsored by Kelley Drye & Warren LLP*



*George Mason Law Review*  
*15th Annual Symposium on Antitrust Law*

Antitrust in High-Tech Industries  
January 26, 2012  
Arlington, Virginia

Registration Form

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Please make the check payable to “George Mason Foundation” or complete the credit card payment form below.

The George Mason Foundation’s Federal Tax ID Number is 54-1603842.

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If you have any questions, please contact us at [gmysymposium@gmail.com](mailto:gmysymposium@gmail.com) or (703) 375-9529

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