PRESS RELEASE

AG Healey Files Lawsuit Seeking to End Google's Illegal Search Engine Monopoly

Bipartisan Coalition of 38 Attorneys General Allege Google Illegally Maintained a Monopoly, Created Insurmountable Barriers to Entry for Competitors

FOR IMMEDIATE RELEASE:
12/17/2020
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BOSTON — Attorney General Maura Healey today joined a bipartisan coalition of 38 attorneys general in suing Google LLC for anticompetitive conduct that illegally maintained power over general search engines and related advertising markets in violation of the Sherman Act.

The states' complaint (/doc/google-complaint/download) alleges that Google improperly maintains its monopoly power in general search and search advertising through the use of exclusionary agreements. Furthermore, Google has exploited its market position to accumulate and leverage data to the detriment of consumers.

"Google's dominance in the search engine market has stifled its competition, depriving consumers of greater choice, innovation, and better privacy protections," AG Healey said. "Today's bipartisan action seeks to end this illegal monopoly and force Google to play fair."

The states' filing also asserts additional allegations and describing Google's monopoly maintenance scheme as a multi-part effort. The lawsuit alleges that Google:

- Uses exclusionary agreements and other practices to limit the ability of rival general search engines and potential rivals to reach consumers. This conduct cements Google as the go-to search engine on computers and mobile devices.
- Disadvantages users of its search-advertising management tool, known as SA360, by promising that it would not favor Google search advertising over that of competing search engines such as Bing, and then, despite those promises, continuously favoring advertising on its own platform, inflating its profits to the detriment of advertisers and consumers.
- Discriminates against specialized search sites – such as those that provide travel, home repair, or entertainment services – by depriving them access to prime screen placement or "real estate" because these competing sites threaten Google's revenue and dominant position.

The attorneys general argue that more competition in the general search engine market would benefit consumers, for example, though improved privacy protections and more targeted results and opportunities for consumers. Competitive general search engines also could offer better quality advertising and lower prices to advertisers.

The attorneys general allege that Google's anticompetitive conduct continues. As explained in the complaint, the company seeks to deploy the same exclusionary contracting tactics to monopolize the emerging ways consumers access general search engines, such as through their home smart speakers, televisions, or in their cars. In so doing, Google is depriving consumers of competitive choices and blocking innovation.

The states also explain how Google's acquisition and command of vast amounts of data – obtained increasingly because of consumers' lack of choice – has fortified Google's monopoly and created significant barriers for potential competitors and innovators.

The attorneys general ask the court to halt Google's illegal conduct and restore a competitive marketplace. The states also seek to unwind any advantages that Google gained as a result of its anticompetitive conduct, including divestiture of assets as appropriate. Finally, the court is asked to provide any additional relief it determines appropriate, as well as reasonable fees and costs to the states.

The complaint was filed in the U.S. District Court for the District of Columbia, in conjunction with a Motion to Consolidate seeking to combine the states' case with the pending U.S. Department of Justice case filed on October 20.

The states' investigation was led by an executive committee made up of the attorneys general of Arizona, Colorado, Iowa, Nebraska, New York, North Carolina, Tennessee, and Utah. The executive committee is joined by the attorneys general of Alaska, Connecticut, Delaware, Hawaii, Idaho, Illinois, Kansas, Maine, Maryland, Massachusetts, Minnesota, Nevada, New Hampshire, New Jersey, New Mexico, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Dakota, Vermont, Virginia, Washington, West Virginia, Wyoming, the District of Columbia, and the territories of Guam and Puerto Rico.

Handling the case for Massachusetts is Assistant Attorney General Matthew Frank, Economic Analyst Ratib Ali, Assistant Attorney General and Deputy Division Chief Michael MacKenzie, and Assistant Attorney General and Division Chief Will Matlack of AG Healey's Antitrust Division.

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