

AG Ferguson, feds seek breakup of Ticketmaster, Live Nation ticket monopoly

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Industry giants unlawfully monopolized to block competitors

SEATTLE — Attorney General Bob Ferguson announced today he is partnering with the U.S. Department of Justice and a bipartisan group of 29 other attorneys general in an [antitrust lawsuit aimed at breaking up Live Nation and Ticketmaster's monopoly](#) over the live entertainment industry.

The lawsuit, filed in the U.S. District Court for the Southern District of New York, asserts the companies used their dominance over concert tickets to undermine competition for the ticketing of live events, driving up ticket costs for individuals. The lawsuit asserts Live Nation and its subsidiary, Ticketmaster, violated the Sherman Antitrust Act by eliminating rivals and increasing barriers for other companies, creating an unlawful monopoly over the live entertainment industry. Live Nation merged with Ticketmaster in 2010.

Ticketmaster's own internal documents claim it accounts for 70% to 80% of primary concert tickets in North America. Live Nation owns, operates or has significant influence over more than 250 venues in North America, including more than 60 of the top 100 amphitheaters in the United States. It also has controlling interests in popular festivals around the country like Austin City Limits, Bonaroo and Lollapalooza. In Washington, Live Nation manages the Gorge Amphitheater in George, RV Inn Style Resorts Amphitheater in Ridgefield and White River Amphitheater in Auburn. Live Nation generated more than \$22 billion in revenue in 2023.

Because these companies have developed such a stranglehold over the live entertainment industry, the justice department and states seek to unwind their merger and separate the companies.

Washington is also asking the court to impose civil penalties, provide restitution for Washington consumers and require the companies to “disgorge” any unlawful profits, consistent with Washington’s antitrust laws. The specifics will be determined by the court. For example, a court could determine that all illegal gains from the monopoly would be taken from the companies and distributed among affected consumers.

“Free enterprise is built on companies competing,” Ferguson said. “Instead, these industry leaders squeezed out the competition to increase their profits, at the expense of fans. My office is partnering with this bipartisan coalition to put an end to this monopoly.”

Assistant Attorneys General Rachel A. Lumen, Paula Pera and Travis Kennedy, Paralegals Kate Iams and Kimberly Hitchcock and Legal Assistants Debbie Chase will handle the case for Washington.

Monopoly buys up rivals, locks out competition

After Ticketmaster and Live Nation merged in 2010, they began acquiring companies involved in the entertainment industry and neutralizing rivals. Its strategy included acquiring promoters,

amphitheaters and festivals. According to the federal lawsuit, Live Nation viewed many of these acquisitions of competitors on the “edge” as necessary to protect its “moat” around its monopoly over the live entertainment industry.

Live Nation describes smaller and regional independent promoters that have the ability to “com[e] in from the edges creating events, opening venues, and purchasing artist inventory” as some of its “Biggest Competitor Threats.” To address this disruptive potential, Live Nation pursued an aggressive plan to acquire or co-opt key independent promoters, even when the economics of a particular deal did not make sense for its promotions business. Live Nation personnel described the long-term benefits, including “keeping the [artist] guarantees down” and stopping competitors from “driving the price up” for artists.

Live Nation also locks venues into long-term contracts with Ticketmaster to keep out competitors. This means Ticketmaster does not have to innovate, improve its services or offer competitive pricing in order to compete with other companies. Event goers pay higher fees as a result.

In an internal presentation, Ticketmaster itself admits this practice is a “[h]edge against significant improvements by the competition or even a new competitor” because the “client is under contract for longer and not able to leave [Ticketmaster] or price the competition’s offer into our new deal for an extended time.”

In other words, even if a rival ticketer were to offer a better price, a better product, or simply a better ticketing experience, a Ticketmaster-exclusive venue would not be able to choose the rival for a long time, often a decade.

Live Nation maintains these contracts with aggressive tactics, including threatening legal action.

The lawsuit details an effort by Live Nation executives, including its CEO, to pressure a venue owner who wanted to use a rival ticketer that would allow the venue to retain more revenue. The Live Nation CEO wrote in an email that Live Nation “will be very concerned” about another company selling tickets for artists under contract with Live Nation, and a senior executive texted a not-so-subtle warning that the venue owner should “think about the bigger relationship” with Live Nation.” Despite the pressure, the venue owner switched to the rival ticketer.

Live Nation then re-routed all its concerts to different venues. It also demanded the venue no longer allow resale of its tickets for any Live Nation events, which cost the venue more money.

After a year of dealing with additional obstacles and problems with Live Nation, the venue changed back to Ticketmaster as its primary ticketing company.

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