

What Happens Next To The U.S. Vs. Google Antitrust Case? via @sejournal, @AlliBerry3

With the punishment for Google's first search antitrust case expected to be delivered in August 2025, the looming question is what will happen now with a new U.S. President and a new set of Department of Justice (DOJ) appointees.

Early signs suggest the Trump administration will largely stay the course of the Biden administration when it comes to antitrust enforcement against large tech companies, including Google.

Their rationale is drastically different from that of the previous administration, but the recent nominations and appointments for the DOJ suggest that President Trump is serious about holding Google accountable, even if their preferred remedies may differ.

Before we get into it, let's recap what has happened so far.

The U.S. Vs. Google Case

In August 2024, Federal Judge Amit Mehta ruled that Google violated the U.S. antitrust law by maintaining an illegal monopoly through exclusive agreements it had with companies like Apple to be the world's default search engine on smartphones and web browsers.

Additionally, Google was found guilty of monopolizing general search text advertising because Google was able to raise prices on search advertising products higher than what the

government claimed would have been expected or possible in a fair market.

Potential Remedies For Google

The DOJ submitted two filings with their suggestions to remediate Google's monopolistic actions.

Proposed remedies range from restrictions on deals that feature Google's search engine as the default on browsers and devices all the way to a breakup of the company by forcing the sale of Google's browser Chrome.

Other intriguing remedies that have been proposed include syndicating the Google search algorithm to competitors, forced licensing of ad feeds to competitors, and divesting the Android operating system.

The DOJ under Biden made it clear in their most recent filing on November 20, 2024, that divesting Chrome is their preferred option, along with the discontinuation of exclusive agreements with browsers and phone companies.

The implications of divesting Chrome are also the most wide-reaching – not only is Chrome used by nearly two-thirds of the world's internet users, but we learned through this trial that click data from Chrome is used to train the search algorithms using Navboost, helping Google maintain its competitive edge.

Losing Chrome's data would almost certainly guarantee a drastically different Google search engine.

Google filed its response to the DOJ, arguing that the proposed remedies are much wider reaching than what the case was about and that America's global leadership position in tech could be hindered by this.

Instead, they proposed allowing exclusive agreements to be made with companies like Apple and Mozilla, but with the

ability to set a different default search engine on different platforms and browsing modes.

It also proposed that Android device manufacturers could preload multiple search engines, as well as preload Google apps without Google Search or Chrome.

Both sides will return to court for the remedies litigation in May 2025, with a ruling expected to be delivered in August 2025.

What Happens Now

Back to the question at hand: What happens once Trump takes office?

The initial signals, including Trump's nominations for key roles at the FTC and the Department of Justice Antitrust Division, suggest the administration will continue to use a heavy hand against large tech companies facing antitrust troubles like Google. But, their solutions may differ from the current proposed remedies.

Trump's Relevant Nominees

Trump has nominated several key individuals who will influence antitrust enforcement, particularly concerning Big Tech companies.

These appointments indicate that the crackdown on tech giants will likely continue, in effect, a surprising bipartisan effort. Trump's key nominees include:

- **Gail Slater:** Nominated to lead the Department of Justice's Antitrust Division, Slater has a background as a policy advisor to Vice President-elect J.D. Vance and experience in tech policy at the National Economic Council. If confirmed, she would inherit the antitrust

case against Google.

- **Andrew N. Ferguson:** Appointed as Chair of the Federal Trade Commission (FTC), Ferguson has expressed intentions to reassess the agency's approach to mergers and acquisitions, which has been uncommonly strong against mergers and acquisitions, while still maintaining oversight of dominant tech platforms.
- **Mark Meador:** Appointed as an FTC Commissioner, a role previously held by Ferguson, Meador is recognized for his pro-enforcement stance, especially regarding technology companies, in his previous work with the U.S. Senate Judiciary Committee. His previous work includes drafting legislation aimed at addressing competitive practices in the tech industry.

While all three of these nominees are deeply rooted in the Republican party, they are all united in their pro-enforcement stances when it comes to Big Tech.

This is a departure from the typical Republican pro-business, anti-regulation position, signifying Trump's seriousness in curbing the power of Google and other tech giants.

The Trump Administration's Views On Google's Antitrust Case

Trump's disdain for Big Tech companies, including Google, has been consistent since his first presidency.

Why does he hate Google so much? A couple of reasons seem most likely:

1. He has claimed the search engine is "rigged" because it presents negative stories about him.
2. He sees weakening Big Tech companies as a way to promote "free speech" because of their misinformation moderation policies and claims the search results are biased

against conservatives.

Despite this seemingly constant position against Google, President Trump has also suggested that breaking Google up may destroy the company rather than help promote fairness and competition.

He has also warned that breaking up Google may make the U.S. appear weaker to foreign powers because “China is afraid of Google.”

Elsewhere in the administration, Vice President Vance has previously called for the breakup of Google and praised the Biden administration’s Federal Trade Commission Chair, Lina Khan, for her aggressive approach to antitrust enforcement.

Whether they decide to take a stance that is pro-breaking Google up remains to be seen, but it appears that they will be taking office with a desire to strengthen competition in this market.

Final Thoughts

There is a lot of time between Trump taking office and the remedies litigation starting up again for the case against Google in May 2025.

The DOJ still needs to argue why they believe Google should be forced to sell Chrome, and if this is no longer the belief of the DOJ appointees, they will need to argue why other remedies make more sense.

It seems reasonable to assume, based on the appointees, that they will be taking some big swings at Google and arguing for the remedies that they believe would be most effective at enhancing competition.

If you are someone who believes action needs to be taken against Google, Trump’s current anti-Google stance may work in

your favor regardless of whether you agree with his rationale for it.

More Resources:

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