

Insights



Benjamin Sirota Examines Possible Antitrust Enforcement Against Amazon by New FTC Chair Lina Khan

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With the appointment of legal scholar Lina Khan as chair of the U.S. Federal Trade Commission (FTC), the agency will likely bring antitrust action against Amazon – but how aggressive will it be? Kobre & Kim’s Benjamin Sirota, a former U.S. federal antitrust prosecutor, shared his thoughts when he sat down with *Fast Company*.

Antitrust enforcement over the past half-century has focused on consumer prices – companies can get large and powerful if they don’t raise prices for consumers. However, Amazon has consistently delivered lower prices for consumers, and Ms. Khan argued in a 2017 article that the current framework cannot adequately address the harms of today’s tech giants.

So how might the FTC pursue enforcement actions against Amazon? One possibility is to encourage Congress to change the laws themselves. “It’s totally conceivable that the FTC could bring a case that it knows it very well may lose, [but that will] light a fire under legislators to pass some of the legislation that’s been proposed,” Mr. Sirota explained. “Ultimately, that’s probably the most feasible way to regulate a company like Amazon.”

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