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The Hold-Up Tug-of-War—Paradigm Shifts in the Application of Antitrust to Industry Standards

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Counsel Benjamin Hendricks and associate Brian Quinn authored this article, which appears in the current edition of *Competition*, published by the California Antitrust, Unfair Competition, and Privacy Law section of the California Lawyers Association. In this piece, Hendricks and Quinn examine recent developments involving the application of antitrust law to patent hold-up: “Given the rapid development of Internet of Things (“IoT”), the onset of the 5G mobile standard, and the torrid pace of development in networked industries, it is more than likely that courts, antitrust enforcers, and policymakers will need to grapple with the practical, legal, and economic underpinnings of hold-up outside of the formal standard-setting context.”