

News

PARTNER IN 'LAW360' ON FTC CASE AGAINST FACEBOOK

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BCLP Partner Philip Bartz was quoted Jan.14 by *Law360* concerning a D.C. federal court ruling permitting the Federal Trade Commission (FTC) to pursue its challenge to Facebook's years-old purchases of WhatsApp and Instagram. As this case now moves to discovery, and eventually summary judgment motions practice and perhaps trial, Phil noted the ruling changes little about the difficulties the FTC still faces. "Specifically, the only real change here is that the court now finds sufficient allegations that Facebook has market power and that there are barriers to entry, i.e., the new facts alleged are sufficient to nudge the complaint over the plausibility standard. The court repeatedly cautions, however, that this does not mean the FTC will be able to actually prove any of this," he said. "So while this is a procedural win for the FTC, I do not think they are any closer to actually winning the case."

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