FOREWORD

The Section of Antitrust Law of the American Bar Association presents the Antitrust and Associations Handbook. This Handbook updates and expands substantially the Section’s antitrust practice guide, published in 1996, entitled Antitrust & Trade Associations: How Trade Regulation Laws Apply to Trade and Professional Associations. This Handbook is designed to serve as a general and accessible guide to the application of U.S. federal and state antitrust laws to the activities of trade and professional associations. It does not address enforcement regimes or potential issues arising under the competition laws of other jurisdictions. The Handbook begins with a discussion of basic antitrust principles and the system of public and private remedies for violations, before turning to more detailed treatment of the analytical framework applicable to collaborative activities involving competitors. Subsequent chapters provide in-depth discussion of topics and problems that are routinely encountered by practitioners counseling trade associations, including membership criteria and expulsion, information collection and dissemination, industry codes of ethics, standards development, and joint petitioning of the government. This Handbook should be an invaluable single-volume resource for those advising trade associations.

The Handbook was drafted under the auspices of the Trade, Sports & Professional Associations Committee, whose leadership and steady support brought it to fruition. The Section of Antitrust Law expresses its particular gratitude to the co-editors Christopher J. MacAvoy and Saul P. Morgenstern, and to their team of contributing authors, who devoted long hours of painstaking effort and who are identified in the Preface. We are grateful as well to the Books and Treatises Committee for their editorial expertise and guidance throughout the drafting process.

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