

PREFACE

Although antitrust lawyers spend significant time and resources investigating, prosecuting, litigating, and defending potentially unlawful past conduct, a principal goal of antitrust law is to prevent antitrust violations before they occur and reduce the risks and harms of anticompetitive conduct that does occur. With these goals in mind, private practitioners, in-house counselors, and government enforcers are often called upon to develop, implement, and evaluate compliance programs at companies large and small.

The first and second editions of this handbook's predecessor publication—*Antitrust Compliance: Perspectives and Resources for Corporate Counselors*—provided valuable advice about implementing effective compliance programs. Since the publication of the second edition in 2010, however, there have been significant developments that merit a substantial revamping of that book.

Among other things, fines and civil damages for antitrust violations have increased sharply, U.S. enforcers announced a new policy to encourage compliance efforts, and enforcers around the world have issued more guidance on compliance. At the same time, globalization and the development of robust, sometimes divergent competition laws around the world have made compliance more complex, and technological developments have changed the ways that companies function and the ways that compliance can be deployed. *The Antitrust Compliance Handbook: A Practitioner's Guide* takes these developments into account while providing more comprehensive and detailed treatment of the principles underlying antitrust compliance and their practical application to corporate activities that may pose antitrust risk.

There are two parts to this handbook. In the first part, Chapters I through XI describe and analyze the components of an effective antitrust compliance program. Chapters XII through XXIII in the second part of this book examine the antitrust risks that can arise in connection with particular corporate activities and how the company's compliance program can help mitigate those risks.

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