

THE 2010 HORIZONTAL MERGER GUIDELINES: FROM HEDGEHOG TO FOX IN FORTY YEARS

CARL SHAPIRO

This article discusses some of the economic principles underlying the 2010 Horizontal Merger Guidelines issued by the DOJ and the FTC. These revised guidelines build upon their predecessors and continue the trend of using a variety of analytical methods, in addition to market concentration, to evaluate the likely competitive effects of a merger. The article focuses on the evaluation of unilateral competitive effects and on the relationship between unilateral effects and market definition based on the hypothetical monopolist test.