



CLEARCODE

Antitrust Investigations in AdTech

Antitrust Investigations and Lawsuits Against
Google, Apple, Meta (formerly Facebook).

What's Happening With Antitrust Investigations in AdTech?

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You may have seen news reports over the past few years about antitrust investigations into Google, Meta, and Apple.

There's a lot going on in this space, with governments from various countries launching their own investigations into the dominance of these tech companies.

In this presentation, we'll help you understand what's happening and why.

Side note: Amazon is also facing its own antitrust investigations but they aren't related to AdTech, just to its ecommerce platform.

Why Are There Antitrust Investigations into Google, Meta and Apple?

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It may appear that antitrust investigations into Google, Meta and Apple are a fairly recent thing, but there have been many investigations into these tech giants in the past.

However, the number of antitrust investigations has certainly **increased** over the years.

The recent investigations are focused on analyzing:

- **The dominance and monopoly** position of Google, Meta and Apple in certain industries (e.g. digital advertising).
- Whether **previous acquisitions** made by Google, Meta and Apple (e.g. Meta's acquisition of Instagram Whatsapp and Google's acquisition of DoubleClick) violated antitrust laws.
- Whether **the privacy changes** that companies like Apple and Google have made violate antitrust laws by limiting competition.
- **Anticompetitive behavior**, such as Google's decision to shut off access to third-party DSPs to its YouTube inventory and Google and Facebook's secret deal which involved Google giving Facebook preferential rates and first dibs on prime ad placement.

The Main AdTech Antitrust Investigations

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Google is being investigated by various governments about antitrust matters relating to its:

- **Dominance** in the search advertising and Internet advertising industries – i.e. the fact that it operates AdTech platforms across the entire media supply chain.
- **Secret deal** with Facebook, referred to internally at Google as Jedi Blue, whereby Google gave Facebook preferential rates and first dibs on prime ad placement.
- **Decision to shut off access to third-party DSPs** to its YouTube inventory and make it solely available via its DV360 platform.
- **Plans to block third-party cookies** in Chrome and changes to its AAID in Android devices.
- **Privacy Sandbox proposal**, which will be introduced when Google Chrome shuts off support for third-party cookies.

The Main AdTech Antitrust Investigations



Apple is being investigated by various governments about antitrust matters relating to its:

- **Dominance** over the supply of mobile operating systems, app stores, and web browsers.
- **Changes to its privacy policies** and features and whether they've helped increase Apple's revenues while at the same time disadvantaging independent advertising companies and app developers.

The Main AdTech Antitrust Investigations



Meta is being investigated by various governments about antitrust matters relating to its:

- **Acquisitions** of Whatsapp and Instagram.
- **Dominance** of the social media advertising industry.
- **Lack of transparency** around Facebook's reporting metrics due to the inability to audit Facebook's numbers.

Possible Outcomes of the Antitrust Investigations

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1. Google, Meta and Apple may decide to **spin off some of their products** as a way to appease the various governments investigating them and take some of the antitrust pressure off them.
2. Governments may **introduce new legislation and laws** that require Google, Meta and Apple to either spin off some of their products or **ban** them from owning and running certain products, e.g. AdTech platforms on both the supply and demand sides.

Let's take a closer look at how these 2 scenarios could play out.

Possible Outcomes of the Antitrust Investigations

1. Google, Apple, and Meta may decide to spin off some of their products as a way to appease the various governments investigating them and take some of the antitrust pressure off them.

Some of these companies, e.g. Google, may decide to spin off some parts of their business to take off some of the antitrust pressure they have on them.

Meta and Apple will probably be less inclined to spin off any of their products and instead will prepare for **the legal battles with various governments**.

Possible Outcomes of the Antitrust Investigations

2. Governments may introduce new legislation and laws that require Google, Meta and Apple to either spin off some of their products or ban them from owning and running certain products, e.g. AdTech platforms on both the supply and demand sides.

Creating new laws to break up Google, Meta and Apple is [no easy task](#). There are a lot of political hoops to jump through and a lot of bureaucratic tape to cut.

Plus, Google, Meta and Apple will undoubtedly **delay the legal battle for years to come**.

There are also arguments that breaking up these tech companies would make their products worse from a user perspective and stifle innovation.

On January 24, 2023, the US DOJ filed a lawsuit against Google claiming that it has engaged in anti-competitive behavior and is asking the federal court to make Google spin off so, or all, or its advertising business.

Further Reading

Further Reading

[AdTech Antitrust Investigations and Lawsuits Against Google, Apple, Facebook, and Amazon \(GAFA\)](#) – an updated list of the main antitrust investigations

[How to understand the extremely high stakes of Big Tech's antitrust battle](#) – a great resource for understanding the antitrust topic

[Antitrust Regulators Are Turning Up The Heat On Big Tech. Here's Your Cheat Sheet](#) – an overview of the antitrust investigations

[Is it time for Google to spin off its advertising business?](#) – various comments about whether Google should spin off its AdTech platforms

About Clearcode

Clearcode is a full-service AdTech & MarTech development company that **specializes in designing, building and maintaining** custom programmatic, RTB, data, and analytics platforms.

Companies partner with us because of **our experience, domain expertise, and knowledge** of the inner workings of the online advertising and marketing ecosystems.



We've built custom AdTech and MarTech platforms for the following companies:

Klarna.

sito
MOBILE

ISOSKÉLE
Une marque de La Poste

SPOTX

Broadsign

clarivoy

Got questions about AdTech development?

Contact us!

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