

STATEMENT OF COMMISSIONER MOZELLE W. THOMPSON

Antitrust Guidelines for Collaborations Among Competitors

Today, the Federal Trade Commission (the "FTC"), in consultation with the Antitrust Division of the U.S. Department of Justice (the "DOJ"), released new *Antitrust Guidelines for Collaborations Among Competitors* ("the Guidelines"). I strongly support the Guidelines because I believe they represent an important step in providing the public with an overview of our analysis of strategic collaborations and responding to an increasingly dynamic marketplace.

The Guidelines, which stem from the Joint Venture Project conducted by the FTC Office of Policy Planning, reflect our experience with matters before the Commission and the DOJ. These matters made it apparent that, in the modern market, competitors often need to collaborate. Companies that enter strategic alliances often do so in response to the dynamic competitive forces that are reshaping much of our economy. Moreover, many collaborations are being undertaken to enable companies to expand into foreign markets, fund expensive innovation and research efforts, and lower costs. But, some may raise competition issues.

The new Guidelines will be useful in explaining how the FTC and DOJ analyze antitrust issues associated with these collaborations, although no set of guidelines can answer every question that might arise, and we acknowledge that there may be areas in which additional guidance is desirable. They outline a general set of questions and principles that must be flexibly applied and are subject to change based on future experience.

I am hopeful that this new guidance will enable business to evaluate proposed transactions with a greater understanding of possible antitrust implications, thus encouraging procompetitive collaborations and facilitating the Agencies' review of such transactions.
