

# Acquisitions under the Hart-Scott-Rodino antitrust improvements act

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-Acquisitions under the Hart-Scott-Rodino antitrust improvements act  
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## Hart

Companies contemplating a merger, acquisition or other large transaction should review the new thresholds and consult with counsel to determine whether their transaction would require clearance from the federal antitrust authorities prior to consummation.

### Acquisitions under the Hart

The HSR Act thresholds are adjusted annually. The revised thresholds, which track with year-over-year changes in gross national product GNP , represent an approximate 2.

### FTC Publishes Decreased Hart

The new thresholds will go into effect March 4, 2021. The filing fee covers additional transactions, during a period of up to five years after the original transaction, that do not exceed the next threshold. NAICS codes can be quite broad.

### What are the Requirements of an HSR Antitrust Filing for a Merger or Acquisition?

Adjusted Filing Fees The filing fees for parties making premerger notification are not indexed to the GNP, and they have not been revised in over a decade. However, there are variations of this test, depending on whether the parties are engaged in manufacturing.

### Acquisitions Under the Hart

In transactions where either the FTC or the Antitrust Division believes there may be significant anti-competitive consequences, either agency may require that the parties submit more background information by means of the process. Failure to comply with the HSR Act and other antitrust laws may have serious consequences for businesses and individuals.

## **Proposed Changes to the Hart**

**HSR Violations** Parties who violate the HSR Act are subject to monetary penalties.

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This can lead to enforcement actions and civil penalties. And because the agencies are independent, one agency may grant ET but not the other. After one year, the HSR filing is expired, and the parties must submit new HSR filings.

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