

Google monopolized internet search for a decade, landmark antitrust trial hears

Publication Date: 2023-09-12

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Section: Technology

Tags: Google, Washington DC, Alphabet, news

Article URL: <https://www.theguardian.com/us-news/2023/sep/12/google-antitrust-trial-day-1>



The watershed antitrust trial pitting the US government against Google began on Tuesday in a Washington district court, as the government started to argue its case that the tech giant illegally abused its power to monopolize internet search. The case is the biggest test of antitrust law in decades and the first such case against Google to go to trial in the US. Big tech companies and regulators are closely watching the trial, which could force a shift in how the industry is allowed to operate. Its outcome could reshape how the public accesses and interacts with the internet, or embolden Google to pursue an even tighter grip on the market. The trial is set to last 10 weeks, over the course of which the government will make its case that Google leveraged its market power and wealth to strangle competition. Google spent billions on deals with companies such as Apple and Samsung to make itself the default search browser on their devices, which the government alleges shut out competition and allowed Google to attain a monopoly on searching the internet. Google denies the justice department's allegations. The company's longtime chief legal officer, Kent Walker, has argued that consumers can still freely use any rival search engines and that Google's services represent only a fraction of the ways that people browse the internet. Google also claims its industry dominance – the government alleges it has about a 90% share of the US search market – is the result of providing a better product than its competitors. In the government's opening statements, a justice department lawyer, Kenneth Dintzer, laid out the case against Google. Dintzer argued the trial would show that Google maintained a monopoly over search for the past decade through exclusionary deals with device makers that cut out competitors. He also alluded to Google's attempts to block access to documents and auto-delete internal messaging to stymie antitrust enforcement. "This case is about the future of the internet," Dintzer said during his opening remarks. The justice department filed its suit in 2020, but later joined in an additional suit against Google brought by attorneys general from more than three dozen states and territories. The states' case will also be heard during the trial, with the antitrust lawyer William Cavanaugh acting as lead attorney for that lawsuit. Cavanaugh also delivered an opening statement on Tuesday, presenting an argument on how Google withheld parts of its services in order to disadvantage competitors. John Schmittlein, Google's lead attorney, attempted to downplay the importance of default search engines and argued during opening statements that there were a variety of ways that people browse the internet. He also argued that Microsoft's Bing search engine was unpopular for a variety of reasons, rather than because of Google's deals with companies like Apple. In its defense against the government's allegations, Google has repeatedly tried to present its search as just one part of a broader network of services such as TikTok and Amazon that people use to search for information or products. The justice department's first witness in the trial, called after a brief break following opening statements, was Hal Varian, Google's chief economist. The department presented email

discussions and internal memos from Varian dating back to the 2000s, and which involved him discussing the threat of Microsoft and the importance of search defaults to edge out competitors. Judge Amit Mehta, an Obama appointee from 2014, is presiding over the case and will decide on a ruling. There is no jury in the trial. Throughout the first day, Mehta challenged attorneys on both sides of the case to clarify parts of their arguments. In one instance, Mehta questioned Google's attorney over his argument that people could easily switch internet browsers from their default setting, asking how often people actually do that. Schmidlein claimed that good data on those numbers did not exist. Mehta will probably take months before ultimately making a decision in the case, with a ruling expected early next year. It is unclear what punitive measures Google would face if found guilty of violating antitrust law. The case has drawn comparisons to the justice department's 1998 antitrust suit against Microsoft, which resulted in a marquee trial that ended with a judge ordering Microsoft be broken up into separate companies. That order was later overturned, with the government and Microsoft later agreeing to a watered-down settlement. Google is also facing charges from EU regulators that it violated Europe's antitrust laws. The European Commission brought a case against the company in June, which is focused on Google's dominance over the online advertising market and argues that parts of the company should be broken up. EU regulators have levied billions in fines against Google over antitrust violations in recent years, but those decisions are still under appeal.