

The FTC – For the First Time in Decades – Held Corporate America Accountable to Protect Small Businesses, Workers, and Consumers

The Federal Trade Commission, led by Chair Lina Khan, entered a new era of more effective, modern, and democratic enforcement to better protect consumers, workers, and independent businesses. Chair Khan revitalized the FTC's critical enforcement role, promoting free and competitive markets where new entrants and small businesses can thrive by combatting unprecedented levels of economic concentration and fostering competition in pursuit of prosperity. Under her leadership, the FTC:

Enforced Existing Rules to Hold Powerful Corporate Actors Accountable

Protected Consumers and Small Businesses from Corporate Fraud and Deception

- [Launched an investigation](#) to enforce the law against pharmacy benefit managers for [engaging in commercial bribery and illegal kickbacks](#) that raise the price of drugs like insulin and put independent pharmacies out of business. The agency released [two](#) interim staff [reports](#), showing how PBMs [inflate](#) drug costs at the expense of patients and independent pharmacies. This includes charging significantly high prices for [specialty](#) generic drugs, including for cancer and HIV. The agency has [sued](#) the Big Three – Caremark, Express Scripts, and Optum – and their group purchasing organizations for anticompetitive and unfair rebating practices that artificially inflated drug prices and lowered patient access.
- Launched a [crackdown on deceptive “junk fees”](#) that businesses use to jack up prices after a consumer has selected a purchase, projected to save Americans 50 million hours per year, or more than \$10 billion over the next decade.

- Supported lower drug prices by pushing for the use of “[march-in rights](#),” which require patents created with federal funding to be licensed to other applicants.
- [Sued retail giant Walmart](#) for facilitating money transfer fraud that cost consumers at least \$197 million, possibly as much as \$1.3 billion, while pocketing millions in fees.
- Won an initial ruling [against TurboTax maker Intuit](#), which it sued for airing bogus and deceptive advertisements pitching “free” tax filings that a vast majority of taxpayers can’t use.
- [Launched an inquiry](#) into the small business credit reporting industry, which wields enormous power over the success of small businesses and is not covered by the same laws applying to consumer credit reporting.
- [Filed suit](#) against crypto firm Voyager Digital for lying about the safety of its digital assets, banning it from handling Americans’ money and winning \$1.65 billion in relief for those affected.
- [Led a lawsuit](#) – along with six state attorneys general – against Roomster for using fake reviews and phony listings with consumers seeking affordable housing.
- [Ordered](#) Publishers Clearing House to pay \$18.5 million for manipulative design techniques that misled consumers about sweepstakes entries and for adding surprise fees to purchases that averaged over 40% of product costs.
- [Cracked down](#) on fraud in online marketplaces through informing businesses about their obligations to comply with the new INFORM Consumers Act.
- [Filed an action](#) that resulted in a temporary restraining order against the Ganadores Online/Inversiones Bienes Raíces coaching scheme that targeted Spanish-speaking consumers with false promises of financial freedom.
- [Led a lawsuit](#) that forced real estate investment training company Response Marketing to pay \$15 million for false claims about their programs.
- Clawed back [millions](#) in assets from a money-making scam that claimed to use AI to boost earnings for consumers’ e-commerce storefronts. Imposed a lifetime ban on the businesses and two of their owners for selling business opportunities or coaching programs.
- Stopped a \$20.3 million student loan debt relief [scheme](#) in the agency’s first case under the Impersonation Rule – which gave the FTC stronger tools against scammers who impersonate government agencies and officials.
- Notified and referred a complaint against [Adobe](#) and its executives to the DOJ for pushing consumers towards expensive, long term subscriptions without disclosing early termination fees, along with making it more difficult to cancel.
- Submitted a [comment](#) to the Federal Communications Commission to highlight what the FTC has done to protect consumers with regards to artificial intelligence.
- [Issued](#) a policy statement and guidance to crack down on unfair and deceptive practices by franchisors. This includes clarifying that franchisors cannot collect surprise junk fees from franchisees.

- Alongside the FDA, sent cease-and-desist [letters](#) to companies selling Delta-8 edibles in packaging that resembles children's snacks like Fruit Loops.
- Alongside the Florida Attorney General, [sued](#) RivX and its owner Antonio Rivodo and company executive Noah Wooten for using deceptive claims of guaranteed income to entice consumers to pay \$75,000 or more to buy trucks they often never received. In response, a federal judge [ordered](#) the company to cease operations.
- Filed a [complaint](#) against Asbury Automotive for charging customers for costly add-on times they did not agree to or were falsely told were required. The company also allegedly discriminates against Black and Latino consumers.
- Alongside the state of Arizona, filed a [complaint](#) against Coulter Motor Company and its former general manager Gregory Depaola for charging consumers unwanted add-ons along with other bogus fees. The company agreed to settle for \$2.6 million.
- [Secured](#) a forfeiture of \$40 million in assets from fraudsters who enrolled consumers without their knowledge or consent into subscription plans for CBD and keto-related products.
- Alongside the DOJ and CFPB, issued a [warning](#) to consumers about potential scams and price gouging in the wake of hurricanes and other natural disasters.
- Took action [against](#) Qargo Coffee for failing to disclose critical information required by the Franchise Rule, leaving potential franchisees in the dark when deciding whether to invest in the franchise. The company must pay \$30,000, provide franchisees the right to rescind contracts, and void noncompete agreements.
- Took action against [Lyft](#) for making deceptive earnings claims about how much money drivers could expect to make per hour, and how much they could earn in special incentives. The settlement would require Lyft to have evidence to back up earnings claims, clearly notify drivers about terms of incentives, and pay more than \$2 million.
- [Returned](#) more than \$1 million to consumers harmed by Rhinelander Auto's unlawful junk fees and discriminatory financing.
- [Returned](#) more than \$2.5 million to consumers deceived by Credit Karma's false "pre-approved" credit offers.
- Took action against cash advance app [Dave](#) for using misleading marketing, deceiving consumers about the amount of the cash advances, and charging them undisclosed fees and "tips" without their consent.
- Took action against [Sitejabber](#) – a company offering an AI-enabled consumer review platform – for deceiving consumers by misrepresenting ratings and reviews, artificially inflating averages and numbers. The company will be prohibited from making misrepresentations in the future.
- [Required](#) H&R Block to [return](#) more than \$7 million to taxpayers for redress and make changes in upcoming tax filing seasons. This includes requiring H&R Block to no longer unfairly require customers seeking to downgrade to a cheaper product to

contact customer service first; no longer unfairly deleting users' previously entered data; and no longer making deceptive claims about "free" tax filing.

- Took action [against](#) Seek Capital and its founder and CEO Roy Ferman for operating a bogus business finance scheme that cost small business owners over \$37 million.
- [Ordered](#) Credit Bureau Center LLC to return nearly \$2 million to consumers who were harmed by the company's fake rental ads and deceptive promises of "free" credit reports.
- Took [action](#) against Evolv Technologies for deceiving users about the extent to which its AI-powered security screening system can detect weapons and ignore harmless personal items. The company would be banned from making unsupported claims in the future and have to give K-12 schools the option to cancel their contracts under the proposed settlement.
- Took [action](#) against Global Circulation and its owner Kenneth Redon for tricking consumers into paying nearly \$8 million in bogus debt through coercion, harassment, and other unlawful actions.
- [Expanded](#) the [Telemarketing](#) Sales Rule – also known as the Do Not Call Registry – to cover telemarketing calls made for technical support services. These scams have resulted in older consumers losing more than \$175 million in 2023.
- [Required](#) GOAT – an online marketplace for apparel and other accessories – to pay more than \$2 million for violating an agency rule that requires companies to have reasonable shipping practices.
- Took [action](#) against [IntelliVision](#) Technologies for making false and deceptive claims that its AI facial recognition software was free of bias.
- [Prohibited](#) data broker [Mobilewalla](#) from selling sensitive location data as the company sold this information without verifying consumers' consent.
- [Took action](#) against Gravy Analytics and its subsidiary Venntel for unlawfully tracking and selling sensitive location data, including health-related locations and places of worship.
- Returning \$72 million to consumers who were [tricked](#) by Epic Games into making unwanted purchases.
- [Halted](#) a scheme by Superior Servicing and its operator Dennise Merdjanian for pretending to be affiliated with the Department of Education and using these false pretenses to collect illegal fees and falsely promised reduced payments and loan forgiveness.
- Announced a [bipartisan](#) rule to ban junk fees for live-event tickets and short-term lodging.
- Along with the Illinois Attorney General, took action against [Grubhub](#) for hurting diners, workers, and small businesses. The company will pay \$25 million and must make substantial changes to its operations.

- Along with the Illinois Attorney General, took action [against](#) Leader Automotive Group and AutoCanada for systematically defrauding consumers who were looking to buy vehicles. The company will be required to pay \$20 million and make clear disclosures of car's offering price.
- Along with the Maryland Attorney General, took action against [Lindsay](#) Automotive Group for systematically deceiving and overcharging consumers, costing them millions of dollars in junk fees and unwanted add-on products.
- [Referred](#) a case against online cash advance firm Dave to the DOJ, and included Dave CEO Jason Wilk as a defendant.
- Required software provider [accessiBe](#) to pay \$1 billion for misrepresenting the ability of its AI-powered tool to make any website compliant with the Web Content Accessibility Guidelines (WCAG) for people with disabilities. The agency also opened a public [comment](#) docket on the proposed consent order.
- Along with the New York Attorney General, took action [against](#) Handy Technologies for deceiving workers about potential earnings. The company is required to pay nearly \$3 million which will be returned to workers, and make substantial changes.
- [Sued](#) Evoke Wellness and Evoke Health Care Management and their officers Jonathan Mosely and James Hull for using deceptive Google search ads and telemarketing to pretend to be other substance use disorder treatment providers. The companies tricked consumers into contacting their call center when they were searching for those of competitors.
- Along with the State of Colorado, took action again [Greystar](#) – the largest landlord in the country – for deceiving consumers about monthly rent costs and adding numerous mandatory fees on top of the advertised price.
- Banned game developer [Genshin Impact](#) from selling to teens under 16 without parental consent. The company is also required to pay a \$20 million fine for violating children's privacy law and deceiving children about the real costs of in-game transactions.

Restored FTC Authority to Protect Workers, Small Businesses, and Fair Markets from Unfair Methods of Competition

- [Finalized](#) a [near-complete ban on exploitative non-compete agreements](#) for employees, which [will](#) increase [wages](#) by more than \$400 billion, reduce health care costs by over \$75 billion, and add at least 17,000 more patents over the next decade.
- Took sweeping action to crack down on the illegal listing of patents in the FDA's "Orange Book," [challenging](#) more than [300](#) patents keeping life-saving medicines like asthma, inhalers, ozempic, and epinephrine prohibitively expensive for those who need them most. Pharma firms use sham listings to game the drug safety system, preventing rivals from delivering the same treatments at far lower prices and driving up costs for patients and providers.

- Secured a [commitment](#) from Boehringer Ingelheim to cap the out-of-pocket cost for inhalers at \$35.
- [Banned](#) car dealerships from using junk fees and unfair bait-and-switch tactics to rip off Americans making what for many is the single most expensive purchase they will ever make, saving consumers \$3.4 billion and tens of millions of hours yearly.
- [Ordered](#) Mastercard to end its noncompetitive practice of withholding customer account information to prevent merchants from choosing competing networks to process payments.
- Released a [report](#) on the causes behind the grocery supply chain disruptions during the COVID-19 pandemic. The report shows that larger companies sought to protect market share and monopoly power at the detriment of smaller companies and consumers. It also highlights the need to reinvigorate the Robinson-Patman Act.
- Updated its [Eyeglass Rule](#) to boost compliance with the requirement that eye doctors provide patients a free copy of their prescription immediately after an eye exam.
- Unanimously approved updates to the Hart-Scott-Rodino premerger notification form, instructions, and rules. This is how the government evaluates proposed mergers and acquisitions. The [changes](#) will help the government more quickly clear mergers that do not threaten competition, while identifying and blocking those that do. The form has not been modernized in a meaningful way since the 1970s.
- Created an online [portal](#) for the public to comment on proposed mergers and acquisitions that may be reviewed by the agency, consistent with the FTC's ongoing effort to make its actions and review process more transparent and to hear from the public.
- Required Guardian Service Industries to [stop](#) enforcing a no-hire agreement that prohibited building owners and managers from hiring Guardian's employees, limiting workers' ability to negotiate for higher wages, better benefits, and better working conditions.
- Required Planned Building Services to [stop](#) enforcing no-hire agreements that limit residential and commercial building owners from hiring building service workers employed by Planned.
- Reinvigorated the Robinson-Patman [Act](#) (RPA) – a nearly century-old law that has gone underenforced since the 1980s. RPA prohibits sellers from engaging in price discrimination and stops buyers from knowingly seeking out or receiving discriminatory prices.
 - The FTC sued [Southern Glazer's Wine and Spirits](#) – the largest distributor of wine and spirits in the U.S. – for charging smaller businesses (such as neighborhood grocery and convenience stores, and independent shops) higher prices than large chains for the same bottles in the exact same

geographic area through various discount and rebate mechanisms without justification, thereby harming competition.

- The agency has also sued [PepsiCo](#) – the second largest food company in the world – for favoring one large, big box retailer (reportedly, [Walmart](#)) with unfair advertising and promotional allowances not offered to smaller customers on proportionally equal terms. This favoritism harms customers who shop at other retailers by forcing them to pay higher prices for Pepsi products.
- [Issued](#) a policy [statement](#) clarifying that independent contractors – including gig workers – are shielded from antitrust liability when engaging in protected bargaining and organizing activities.
- Issued a [request for information](#) to understand how large-scale single-family rental owner operators – mega investors – have affected home prices and rents.
- Alongside the [DOJ](#), issued antitrust [guidelines](#) for business activities affecting workers. Practices that harm the competitive process of labor, including those that limit worker decision making or abuse employers’ power – such as non-compete, no-poach, and non-solicitation agreements – violate these laws. These replace the 2016 guidelines for human resource professionals, which did not address legality of contract terms between employer and employee.
- Issued a request for information regarding mergers and [acquisitions](#); small [businesses](#), entrepreneurs, and start-ups; and protecting [workers](#) from illegal business practices.

Worked to Punish and Deter Corporate Wrongdoing

- Revived the dormant [Penalty Offense Authority](#) to ensure corporations that knowingly break the law are penalized, bolstering the FTC’s ability to claw back money for consumers.
 - The FTC first resurrected the authority in 2021 with unanimous votes to put on notice:
 - Over 70 [for-profit colleges for predatory behavior](#);
 - Over 700 companies for [fake online reviews](#); and
 - Over 1,000 businesses, including [Amazon, Doordash, and Grubhub](#), for deceiving gig workers about potential earnings.
- When investigating Exxon Mobil’s proposed acquisition of Pioneer Natural Resources, the FTC [revealed](#) that former Pioneer CEO Scott Sheffield colluded with Permian Basin competitors to restrict output in a price-fixing conspiracy—in coordination with OPEC. To hold Exxon accountable, the FTC proposed a [consent order](#), barring Sheffield from serving on the Exxon board or advising the company once the acquisition is finalized.

- In its ongoing reviews of Permian Basin mergers, the agency is investigating executive communications for evidence of [collusion](#) with OPEC.
- Alongside DOJ, launched a [strike force](#) on unfair and illegal. During the first meeting, FTC Chair Lina Khan [called](#) for an inquiry into persistent high grocery prices even as costs for retailers fall.
- Finalized a [rule](#) banning fake reviews and testimonials.
- When investigating Chevron's proposed acquisition of Hess, the FTC [revealed](#) that former Hess CEO John B. Hess colluded with OPEC representatives to stabilize production and lower inventories, leading to higher oil prices. To hold Mr. Hess accountable and prevent harm to competition, the FTC proposed a [consent](#) order to bar him from serving on the Chevron board or advising the company once the acquisition is finalized.
- [Fined](#) GameStop CEO Ryan Cohen \$1 million for his failure to file an HSR form after purchasing 562,000 Wells Fargo shares.
- Sent [warning](#) letters to adoption intermediaries to not mislead parents about placement rates and times, and to not suppress negative reviews.
- Took action [against](#) a scheme that has taken more than \$12 million from consumers with false promises of big returns selling goods through Amazon and Walmart. As a result of FTC's lawsuit, a federal court has temporarily shut down the company, which has changed its name several times over the years.
- Took action [against](#) crude oil producers XCL Resources Holdings, Verdun Oil Company, and EP Energy for illegal pre-merger coordination or "gun jumping." The companies ignored the required waiting period before completing a transaction, and as a result are required to pay a record \$5.6 million penalty.
- Took action against co-founders of the [Stem Cell Institute of America](#) – and other companies – for using deceptive marketing that falsely claimed stem cell therapy would help. The individuals and companies are banned from marketing stem cell therapy in the future, and are required to pay \$5.1 million in refunds and penalties.

Stood Up to Big Tech and Protected Privacy in the Digital Age

- [Fined Epic Games \\$520 million](#) for violations of children's privacy laws and tricking users to make unintended purchases.
- [Ordered](#) eight social media and streaming platforms, including Facebook, Instagram, TikTok, YouTube, and others, to turn over information about deceptive and fraudulent advertising on their platforms.
- [Ordered](#) Microsoft to pay \$20 million for illegally collecting and retaining children's personal data on Xbox without parental knowledge or consent.
- [Ordered](#) Amazon to pay \$25 million for violating children's privacy laws by failing to delete sensitive voice recordings and geolocation data.

- Hosted a [public forum](#) and opened public comments to determine whether to issue rules addressing commercial surveillance, data hoovering, and lax data security practices to protect consumers from Big Tech's dominance in the information economy.
- [Warned](#) around 130 hospitals and telehealth providers about privacy and security risks related to their use of digital trackers from Meta and Google Analytics that leak users' sensitive personal health data to third parties.
- [Warned](#) tax prep firms like TurboTax that they could face penalties if they use consumers' confidential data for other unrelated purposes, such as advertising, without consent.
- [Opened an investigation](#) into ChatGPT maker OpenAI, probing whether the chatbot has harmed consumers via data collection and proliferating false information about individuals.
- [Voted unanimously to adopt a policy statement](#) reaffirming the agency's authority to enforce meaningful limitations on Big Tech's ability to collect, use, and retain children's data.
- Issued a landmark report proving the leading internet service providers (ISPs) [collect and sell more data than consumers know](#) – including full browsing history, location data, sexual orientation, and more.
- [Launched an inquiry](#) into the market power of cloud computing providers like Amazon, Google, and Microsoft, whose services underlie large parts of the economy.
- Strengthened the Safeguards Rule to [require banks to protect customer data](#) following widespread data breaches that led to financial losses and identity theft.
- [Protected over 100 million app users](#) by requiring that sensitive health data to not be shared with Facebook and Google without permission.
- Moved for a [blanket ban](#) on Facebook's use of children's data.
- Banned shady actor SpyFone and its CEO from the surveillance business and ordered them to [delete all secretly stolen data](#).
- Successfully [refiled an antitrust suit against Facebook](#) for alleging an illegal buy or bury scheme to thwart competition.
- Cracked down on health firms like [BetterHelp](#) and [GoodRx](#) for illegally selling Americans' sensitive health data to advertisers like Facebook and Google, ordering them to pay restitution and banning them from selling health data moving forward.
- [Charged](#) genetic testing company 1Health for failing to secure customers' sensitive genetic and health data and for deceiving customers about its privacy and security practices.
- [Sued data broker Kochava](#) for selling geolocation data that can be used to track people at sensitive locations like addiction recovery facilities, reproductive health clinics, and places of worship. In Feb 2024, a federal judge [ruled](#) that the lawsuit's allegations have merit and that it must proceed.

- [Updated](#) the Health Breach Notification Rule to further protect consumers' sensitive health data and privacy on health applications and other technologies not covered under HIPAA.
- Fined software provider [Avast](#) \$16.5 million and banned the company – which promised to protect consumers from third-party tracking but instead used its product to collect and sell their data to 100+ third parties – from selling, disclosing, or licensing web browsing data.
- Referred a complaint against Tik Tok to the DOJ for violations of COPPA and the FTC Act, which led to a [civil](#) lawsuit.
- [Launched](#) an investigation into surveillance pricing – where companies use personal data to maximize what they extract from consumers through customized prices – ordering eight companies – including McKinsey, JPMorgan Chase, and Mastercard – to provide information.
- [Issued](#) a joint statement alongside the DOJ and European enforcers on AI antitrust enforcement.
- [Barred](#) NGL Labs (and two of its co-founders) – an anonymous messaging application – from serving users under the age of eighteen after the FTC revealed that the company's AI content moderation system did not prevent cyberbullying, sent fake messages to drive engagement, and tricked users into signing up for its paid service.
- [Released](#) the results of a dark patterns study alongside two international consumer protection networks. The study found that over 75 percent of over 600 mobile applications and websites employed at least one dark pattern.
- [Filed](#) an amicus brief in the Epic v. Google case, which explains that courts have broad discretion to craft remedies that pry open markets to competition and deprive defendants of ill-gotten gains under Supreme Court precedent. The FTC argued that the “the lock-in advantages of network effects and data incumbency” require remedies that go beyond merely stopping specific conduct and instead require affirmative actions by the monopolist.
- Filed an [amicus](#) brief, opposing efforts to invoke the Children's Online Privacy Protection Act to force parents into arbitration.
- [Released](#) the [results](#) of a four-year study, showing that social media companies “bury their heads in the sand when it comes to children using their services” and engage in mass surveillance of minors.
- [Ordered](#) Marriott and Starwood hotels to implement a comprehensive security program and pay a fine for three large data breaches that impacted over 344 million customers worldwide.
- [Required](#) Marriott International and its subsidiary Starwood Hotels & Resorts Worldwide to implement a comprehensive information security program following three large data breaches that affected more than 344 million customers worldwide.

- [Required](#) GoDaddy to implement an information security program for lax data security, exposing customers and visitors to attacks.
- Finalized [changes](#) to the Children’s Online Privacy Protection rule to set new requirements around the collection, use and disclosure of children’s personal information, and give parents new tools and protections to help them control their children’s’ data.
- Took action [against](#) General Motors and OnStar for sharing drivers’ precise location and driving behavior data without their consent.
- [Referred](#) a [complaint](#) against Snap to the DOJ, for its deployment of an AI intelligence powered chatbot – My AI – and the resulting risks and harms to young users.
- Issued a staff [report](#) on surveillance pricing, which revealed that details like a person’s precise location or browser history can be used to target individual consumers with different prices for the same goods and services. The agency also [issued](#) a request for information regarding surveillance pricing practices to hear directly from the public, and hosted a virtual [workshop](#) on predatory pricing.
- Issued a staff [report](#) on corporate partnerships and investments formed between the largest cloud service providers – Alphabet (Google), Amazon, and Microsoft – and the two most prominent generative AI developers – Anthropic and OpenAI. The report outlines potential competition implications, including that: these partnerships may impact access to inputs, increase switching costs, and restrict information sharing to others in the space.

Reinvigorated Enforcement To Prevent Board-Level Corporate Collusion

- Enforced section 8 of the Clayton Act for the first time in [40 years](#), preventing entanglements and information exchange between Board directors and officers of direct competitors Quantum Energy Partners and EQT Corporation.
- Issued [guidance](#) explaining that the FTC’s authority to target unfair methods of competition offsets certain loopholes in the statutory ban on interlocking directorates.

Blocked Illegal Mergers and Promoted Competitive Markets

FTC, DOJ Opened Merger Guidelines Review to Small Businesses, Workers, Consumers

- The FTC and the DOJ finalized a critical [update to merger enforcement guidelines](#), bringing in new learning and evidence discovered by economists, business people, consumers, and scholars over the last fifteen years. The new guidelines better reflect today’s new market realities and will help strengthen enforcement against illegal mergers that drive higher prices, lower wages, and reduce innovation.

- The new guidelines reflect public input, with the FTC receiving [almost 6,000 public comments](#) – approximately 187x more than a previous merger guideline rewriting in 2010 – from entrepreneurs, small businesses, workers, and consumers who have experienced firsthand the effects of mega-mergers and acquisitions.
- Along with the DOJ, proposed changes to [modernize the merger filing process](#) by requiring merging parties to submit more relevant information, allowing antitrust agencies to evaluate the effects of a merger more efficiently and effectively. The new filing process [takes into account](#) companies' history of labor law violations.
- The FTC and DOJ also [hosted joint listening forums](#) that included grocers, health care professionals, farmers, innovators in biotechnology, media and entertainment, and technology workers, who shared their personal experiences on the effects of previous mergers.

Challenged Monopolies and Rampant Consolidation, Including Successfully Blocking Illegal Vertical Mergers

- [Filed a groundbreaking antitrust lawsuit against Amazon](#), alleging the company has used anticompetitive tactics to build and maintain an illegal monopoly that siphons off as much as 50% of its sellers' revenue while raising prices for consumers. A federal judge [ruled](#) that the FTC can bring all claims to trial against the company.
- Sued to block a series of illegal mergers, which were then abandoned by the parties, including:
 - Defense giant Lockheed Martin's takeover of the last independent American rocket motor manufacturer firm, Aerojet
 - Chip supplier Nvidia and chip design company ARM
 - Berkshire Hathaway Energy's purchase of the Questar Pipeline
 - Sportsman's Warehouse Holdings merger with the Great Outdoors Group
 - Biotech firm Boston Scientific's attempt to become a majority shareholder in medical device maker M.I. Tech.
 - Cement firm CalPortland's acquisition of rival Martin Marietta Materials
 - Utah hospital systems HCA Healthcare and Steward Health Care System
 - New Jersey hospitals RWJBarnabas Health and Saint Peter's Healthcare System
 - New York hospital systems Upstate Medical University and Crouse Health System
 - Rhode Island hospital firms Lifespan and Care New England
 - California hospitals John Muir Health and San Ramon Regional Medical Center
 - Global Partners abandoned its proposed acquisition of Golf Oil in [Maine](#)
 - Qualcomm [abandoned](#) its proposed acquisition of Autotalks
 - Altus Group [abandoned](#) its proposed acquisition of Situs Group's Commercial Real Estate Valuation Services Business
 - WillScot [abandoned](#) its proposed acquisition of competitor McGrath RentCorp

- Helped nix Amazon’s \$1.7 billion purchase of vacuum-tech firm iRobot. Amazon blamed “disproportionate regulatory hurdles,” [abandoning the acquisition](#).
- [Continues to challenge](#) Microsoft’s purchase of gaming giant Activision, the largest-ever tech acquisition ever, in in-house administrative proceedings, even as Microsoft [guts thousands of jobs](#) at the studio. [Microsoft](#) is exercising market power post-merger with price increases and product degradation. For example, the company is raising the price for its “Game Pass Ultimate” by 17 percent and eliminating its’ cheapest product “Console Game Pass” which was \$10.99 a month. This will require customers switching from Console to Ultimate to pay 81 percent more.
- [Successfully sued](#) and blocked Kroger’s \$25 billion acquisition to buy rival supermarket Albertsons, citing the mega-merger’s impact on consumers, workers, and independent grocers. The company’s solution for competing with Amazon and Walmart is to get bigger, not better. However, Judge Nelson rejected the defendants’ argument that they needed to “[merge to compete](#)” with Amazon and Walmart. This [decision](#) was yet another that favorably cited the [merger guidelines](#).
- Along with 10 state attorneys general, [filed a suit against agribusiness giants Syngenta and Corteva](#) for paying off distributors to exclude cheaper pesticides, increasing prices for farmers. In Jan 2024, a federal judge [ruled](#) the suit’s allegations have merit and the case must move forward.
- Launched multiple investigations into the baby formula industry, examining whether [industry consolidation](#) was responsible for the national infant formula shortage and whether manufacturers [coordinated bidding](#) for contracts.
- [Secured a settlement](#) in a \$12 billion merger between the two major mortgage loan technology providers. As a result, the firms sold major elements of their businesses, the consolidation of which would lead to higher prices for American home buyers.
- Chair Khan [submitted a comment](#) in favor of the US Department of Agriculture’s proposed rule on transparency in poultry grower contracting, urging the agency to take key steps towards a more fair and competitive food system.
- Sued to [block](#) Tapestry’s \$8.5 billion acquisition of Capri Holdings. This deal would eliminate direct competition between the brands and give Tapestry dominance in the luxury handbag market.
- [Submitted](#) a joint comment with the DOJ to FERC, urging the agency to consider the competitive risks of common ownership when assessing sales of minority stakes of utilities to investment firms. Competition is one of the three pillars for FERC to consider when determining whether a utility deal is in the public interest.
- Seeking additional [information](#) regarding Walmart’s acquisition of smart-TV company Vizio. Walmart announced the \$2.3 billion deal, which would allow Walmart to expand its monopoly via its media business.

- Filed a joint-statement with DOJ in a private New Jersey algorithmic [price](#) fixing case, addressing hotel room pricing.
- Filed a joint legal brief with the DOJ on algorithmic [price fixing](#) in rental housing.
- Opened a [probe](#) into Amazon's seller fees, which allow the company to exert its market power and influence to squeeze sellers further.
- Submitted a [comment](#) supporting a USPTO rule that would enhance FTC and DOJ's ability to curb potentially anticompetitive patent settlement agreements.
- Launched a [joint](#) public inquiry with DOJ to identify serial acquisitions and roll-ups – which are a common private equity strategy and loophole to avoid the regulatory reporting required of larger deals – throughout the economy.
- Unanimously moved to [block](#) Tempur Sealy's proposed \$4 billion acquisition of Mattress Firm Group Inc.
- Issued a [second](#) request into ConocoPhillips' \$17 billion planned acquisition of Marathon Oil.
- Submitted a [comment](#) supporting a USPTO rule that would cut down on patent system abuse, spurring competition.
- Signed a [memorandum](#) of understanding with DOJ, DOL, and NLRB to enhance the FTC and DOJ's ability to investigate the impact of mergers and acquisitions on labor markets.
- Submitted a [comment](#) supporting USDA's proposed rule to clarify what constitutes unfair practices under the Packers and Stockyards Act to better protect farmers, growers, ranchers, and consumers from dominant meat processors.
- Alongside the DOJ, [announced](#) the [withdrawal](#) of the Antitrust Guidelines for Collaborations Among Competitors. These guidelines relied on outdated and withdrawn policy statements, did not reflect current legal precedent, and described [safe harbors](#) with no basis in federal antitrust law.

Aggressively Challenged Healthcare Monopolies and Consolidation in the Market

- Challenged, litigated, and [won at trial](#) against biopharma data provider IQVIA's purchase of medical advertising firm DeepIntent, which would have allowed IQVIA to monopolize companies' ability to advertise drugs to doctors.
- [Reached a proposed consent order](#) to mitigate the competitive harms of pharmaceutical giant Amgen's \$28bn purchase of specialty drugmaker Horizon Therapeutics that many feared would raise drug prices for Americans with rare diseases.
- Stopped Sanofi's "[killer acquisition](#)" of a rare genetic-disorder treatment drug that would have enabled the pharma giant to continue charging \$750,000 annually for treatment.

- Contributed to the [abandonment](#) of a \$140 billion healthcare mega-merger between health insurance providers Cigna and Humana that would have drastically further consolidated the industry.
- Ordered biotech firm Illumina to [unwind its purchase](#) of cancer test maker Grail to protect competition and innovation in the life-saving cancer detection test industry. On appeal, the Fifth Circuit [affirmed](#) that the acquisition would harm Americans, setting critical precedent for future vertical merger challenges.
- Cracked down on private equity roll-ups to protect small businesses and good jobs, including suing a [private-equity backed multi-state healthcare firm](#) alleging a scheme to consolidate anesthesia practices and drive up care prices. Welsh Carson will be [required](#) to limit its involvement with USAP and notify the FTC of future acquisitions and investments in anesthesia and other hospital-based physician practices.
- [Settled](#) a lawsuit against pharma-IT firm Surescripts for monopolizing the e-prescription market and raising Americans' healthcare costs, issuing a consent order rectifying the firm's illegal behavior that will last 20 years.
- Brought a [court challenge](#) against state-issued "Certificates of Public Advantage" (COPAs) that allow health care firms to pursue anticompetitive mergers and evade antitrust law.
- Alongside DOJ and HHS, launched a [portal](#) for the public to report anticompetitive healthcare practices.
- [Launched](#) a cross-government inquiry with DOJ and HHS into the impact of corporate greed in healthcare, along with a [request for information](#) from the public. HHS released a [report](#) following the RFI, which [found](#) that there is increasing consolidation in health care markets, provider consolidation is leading to higher prices and less access, private equity involvement has increased, and people are dissatisfied with private insurers, particularly those that are vertically integrated.
- A federal court [ruled](#) that Teva Pharmaceuticals must [delist](#) five bogus patent listings on asthma inhalers from the FDA's Orange Book, citing the FTC's [amicus](#) brief.
- Launched an [investigation](#) into Teva's junk patent listing because of the company's refusal to remove over two dozen inhaler patents from the FDA's Orange Book.
- Preparing to [sue](#) PBMs for illegally maximizing profits by steering patients to more expensive drugs.
- [Scrutinizing](#) DaVita and Fresenius Medical Care for utilizing non-compete agreements with their doctors in dialysis clinics to stifle competition.
- Submitted a [comment](#) supporting the FDA's proposed guidance on interchangeable biosimilar drugs. This guidance would support competition, increase patient access to biosimilars, and lower healthcare costs for patients.

- [Sued](#) the Big Three pharmacy benefit managers that control 80% of prescriptions – CVS's Caremark, Cigna's Express Scripts, and UnitedHealth Group's Optum – for inflating the price of insulin through anticompetitive and unfair rebate agreements with name brand drug manufacturers.

Restored the Right to Repair and Continues Whole-of-Government Advocacy

- Unanimously moved to [enforce the “Right to Repair”](#) against corporations that make it difficult to repair their products.
- The FTC's announcement was [hailed by advocates](#) and followed by [Apple announcing new public access to parts and repair manuals](#), reversing decades of restrictive repair policies.
- Launched an inquiry into repair terms surrounding [McDonald's perpetually nonfunctioning ice cream machines](#).
- Launched [a public comment period](#) to gather more information about a broader set of one-sided contract terms that may harm fair competition.
- Filed a joint comment with DOJ to the Copyright Office advocating for right to repair [regulations](#).
- [Testified](#) in support of Colorado and sent a [letter](#) of support for Oregon's right-to-repair bills.
- Along with Illinois and Minnesota Attorneys General, sued [Deere & Company](#) over its use of unlawful practices that have limited the ability of farmers and independent repair providers to repair Deere equipment, forcing them to instead rely on Deere's network of authorized dealers.

Protected Americans from Abusive Tricks and Scams

Returned Millions to Working Americans and Curbed Subscription Traps

- [Finalized](#) the “click to cancel” rule, requiring companies to make it just as easy to cancel subscriptions as it was to sign up.
- [Ramped-up enforcement](#) actions to defend Americans against illegal subscription traps in response to a rising number of complaints about deceptive sign-up tactics, unauthorized charges, and ongoing billing that is impossible to cancel.
- [Filed suit](#) against Amazon's years-long effort of nonconsensually enrolling customers in Amazon Prime subscriptions and making it exceedingly difficult to cancel through its [“Project Iliad”](#)
- Ordered [CreditKarma to pay \\$3 million](#) to its users after the company used dark patterns to misrepresent that consumers were “pre-approved” for credit card offers and harmed their credit scores.

- Under Chair Khan, returned over \$900 million to working families across the country after it was stolen, swindled, or scammed from them, including:
 - \$115 million in refunds to [victims of scams](#) facilitated on payment transfer platform MoneyGram.
 - \$99 million in refunds to Vonage internet subscribers who were [held hostage by illegal dark patterns](#) preventing them from cancelling services.
 - \$60 million in [stolen wages returned](#) to Amazon drivers.
 - Up to \$40 million to patients defrauded by [“Pharma Bro” Martin Shkreli](#) after a unanimous FTC vote.
 - Tens of millions more in refunds to scam victims across the country.
 - \$5.6 million in refunds to Amazon-[Ring](#) customers because the company allowed its employees to access private videos and failed to implement security protections.
 - \$7 million in refunds from telehealth firm [Cerebral](#) for misleading and deceiving consumers. FTC has also prohibited the firm from using and disclosing sensitive consumer data to third party companies for advertising.
 - \$62 million in refunds to sellers [deceived](#) by online real estate business Opendoor Labs.
 - \$100 million in refunds to consumers charged for bogus health plans marketed by health insurance [scam](#) company Benefytt Technologies.
 - \$10 million in refunds to consumers who paid for a [scam](#) real estate investment training program.
 - \$2.8 million in refunds to consumers hurt by crypto and Amazon selling-related passive income [scams](#).
 - \$4.1 million in refunds for consumers in student loan debt relief [scams](#).
 - Half a million in refunds for consumers who were [deceived](#) by manipulative Amazon product reviews.
 - \$222,000 in refunds for consumers harmed by a [deceptive](#) mortgage relief operation, Lanier Law, which collected upfront fees from homeowners by promising to lower their monthly payments but never did.
 - \$449,000 in refunds to consumers who were harmed by American Vehicle Protection Corp., which engaged in a telemarketing [scam](#) that involved calling hundreds of thousands of consumers nationwide, pitching expensive “extended warranties” using deceptive tactics.
 - \$536,000 in refunds for consumers harmed and [deceived](#) by Rejuvica’s misleading ads for Sobrenix – the “anti-alcohol craving” supplement. The company used unsupported claims that the supplement could reduce or eliminate alcohol cravings and consumption.
 - \$17 million in refunds to consumers harmed by cash advance company [Brigit](#) for falsely claiming cash advances would be “instant” and locked consumers into a monthly subscription they could not cancel.

- \$114,000 to consumers who were [deceived](#) by SuperGoodDeals.com’s “next day shipping” claims on personal protective equipment at the height of the pandemic.
- \$500,000 to consumers who were [harmed](#) by home security company Vivint Smart Homes, which misused credit reports to help unqualified customers get financing for the company’s products and services.
- \$540,000 to [consumers](#) who paid National Landmark Logistics and Absolute Financial Services and were then threatened with lawsuits or arrest if they failed to pay debt they may not have even owed.
- \$103,000 to consumers who were [harmed](#) by Golden Sunrise Nutraceutical which deceptively marketed treatment plans and falsely claimed their products treated COVID-19, cancer, and Parkinson’s disease.
- \$49,000 to consumers who were [harmed](#) by HOPE Services and HouseHoldRelief. The companies told homeowners who needed financial assistance that they would help in getting mortgages modified, but instead stole homeowners mortgage payments.
- \$1 million to consumers who purchased [deceptively](#) marketed Zephyr face masks during the COVID-19 pandemic.
- \$960,000 to [consumers](#) who paid a job scheme known as “The Sales Mentor” that falsely promised consumers that they would make a large amount of money from telemarketing sales.
- \$5 million to [consumers](#) harmed by a deceptive credit card debt relief scheme known as ACRO Services.
- [Investigated DeVry University](#), which led to the U.S. Department of Education forgiving \$71.7 million in federal student loans for students deceived by the for-profit college.
- As part of an enforcement action against the for-profit University of Phoenix, worked with the Education Department to forgive [nearly \\$37m in student loans](#) for students affected by the school’s deceptive job placement claims.
- [Prohibited](#) X-Mode/Outlogic from selling sensitive location data, including precise locations that could reveal medical and reproductive health clinics or places of worship.
- [Prohibited](#) an alcohol addiction treatment firm from sharing health information with third party advertisers, including Meta and Google.
- Collected a [historic](#) \$59 million in damages from Biz2Credit and Womply – under section 19 of the FTC Act – for falsely promising faster processing of PPP loan applications, only to delay and sometimes prevent small businesses from obtaining such funds.
- Settled for \$26 million with a tech support firm that [duped](#) customers into buying computer repair services using fake pop-up windows.
- Filed a complaint against [sham](#) cancer charity alongside ten states.’
- Returned \$324 [million](#) to consumers in 2023.

- Returned over [\\$2.4 million](#) to consumers harmed by a fraudulent “Stay-At-Home Millionaire” business coaching scheme.
- Sent notices to over 800,000 [BetterHelp](#) customers, notifying them that they are eligible for \$7.8 million in refunds as the company shared sensitive mental health data with third parties for advertising purposes.
- [Returned](#) online career-training company Career Step to return over \$15.7 million to consumers and cancel over \$27.8 million in student loans for deceptive and false advertising.
- [Returned](#) over \$12 million to consumers harmed by Zurixx for a real estate investment scheme that falsely promised large profits by flipping houses.
- [Returned](#) over \$10 million to consumers harmed by CarShield and American Auto Shield for deceptive and misleading advertising, promising customers that repairs would be covered when they in fact were not.
- [Returned](#) over \$8.5 million to consumers harmed by Care.com. The company systematically deceived caregivers who were looking for jobs and made it difficult for families who needed to cancel their paid memberships. Billionaire Barry Diller – who called for FTC Chair Lina Khan to be [fired](#) – founded and is CEO of [IAC](#), which purchased Care.com in 2019 for [\\$500 million](#).
- [Returned](#) over \$48 million to renters harmed by Invitation Homes. The company deceived renters about lease costs, charged undisclosed junk fees, failed to inspect homes before residents moved in, and unfairly withheld tenants’ security deposits when they moved out. Barry Sternlicht – a billionaire real estate magnate who serves on the [board](#) of Invitation Homes – has [called](#) for Lina Khan’s firing during the investigation.
- To crack down on companies that have relied on artificial intelligence to harm consumers, the FTC launched [Operation AI Comply](#). This includes five law enforcement actions against DoNotPay, Ascend Ecom, Ecommerce Empire Builders, Rytr, and FBA Machine for unfair or deceptive practices. This effort shows that the FTC is serious about cracking down on AI abuses, and that there is no AI exemption from the laws. As a result of this action, the agency took action against [Rytr](#) for allowing subscribers to generate false and deceptive online reviews and for unfair business practices.
- [Returned](#) money to over 2,400 consumers over data security violations committed by 1Health.io.
- [Returned](#) over \$1 million to consumers who were misled by deceptive bait-and-switch advertising by LCA-Vision, the nation’s largest LASIK surgery provider.
- [Proposed](#) changes to the Business Opportunity Rule – [which](#) requires sellers to give prospective buyers information to help them evaluate a business opportunity – and proposed a new Earnings Claim Rule that together would strengthen the agency’s

ability to curb deceptive earnings claims in multi-level marketing (MLM) programs and money-making opportunities.

Cracked Down on Made in America Fraud Harming Ranchers and Consumers

- [Defended American entrepreneurs](#) by issuing a new rule that cracks down on false “Made In USA” labels often used by dominant meatpacking conglomerates.
- The [new rule especially benefits small businesses](#) that rely on their Made in America labels, but lack the resources to defend themselves from imitators. The rule also protects and incentivizes U.S. production by requiring companies to prove their products are “all or virtually all” made in the United States if they are to use Made In America labels.
- [Ordered](#) three clothing accessories companies to pay for falsely advertising their products as being “Made in the USA.”
- [Ordered](#) motocross and ATV parts maker Cycra to pay for falsely advertising their products as being “Made in the USA.”
- [Ordered](#) Williams-Sonoma to pay for violating an FTC consent decree and for falsely advertising their products as being “Made in the USA” numerous times.
- [Ordered](#) Instant Brands to pay for falsely advertising their products as being “Made in the USA” and refund consumers more than \$88,000.
- [Ordered](#) Chaucer Accessories, Bates Accessories, and Bates Retail Group to refund consumers over \$140,000 for falsely advertising their clothing as “Made in the USA.”