

Google loses bid to move DOJ's antitrust suit to NY from Virginia

March 13 2023, by Emily Birnbaum



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A federal judge on Friday said the Justice Department can sue Alphabet Inc.'s Google in Virginia, batting down efforts by the tech giant to change the venue of the litigation to New York.

U.S. District Judge Leonie Brinkema in Alexandria said there are "just enough" differences between the [antitrust case](#) by the government and a similar ongoing case in New York to justify keeping the case in Virginia.

"Put your running shoes on," Brinkema said, noting that she plans to move the case forward quickly.

The decision is an early win for the Justice Department, which sued Google in January over its alleged illegal monopolization of the digital advertising market.

Google's lawyers argued that the case, which calls for the break up of the search giant's ad-technology business, would be better suited to New York so lawyers could "coordinate" with a separate consolidated lawsuit there that also focuses on Google's power over the ad tech ecosystem. Those consolidated cases include dozens of private lawsuits against the tech giant as well as a case led by state attorneys general.

"While we wanted to transfer this case to be efficiently heard alongside other overlapping matters in New York, we'll continue to set the record straight and show how we compete fairly in a highly dynamic and crowded industry," Julie Tarallo McAlister, a Google spokeswoman, said in a statement.

The cases are similar, but the Justice Department's lawyers argued that moving the case from the Eastern District of Virginia to the Southern District of New York would delay the litigation for years.

"The need for swift action is particularly pronounced in this case given the pace of change in technology and the dynamic nature of Google's anticompetitive conduct across the ad tech industry," Justice Department lawyers said in their brief, which they filed alongside the eight other states that joined the department's case against Google last year.

The Justice Department's case against Google marks the Biden administration's first major case challenging the power of one of the nation's largest tech companies. It stems from a probe that began under former President Donald Trump.

Google is the dominant player in the lucrative U.S. digital-ad market, which brings in billions of dollars per year for the company. Globally, Google earned \$168 billion in ad revenue in 2022. This year, Google's U.S. revenue alone is projected to reach \$73.8 billion.

The Justice Department strategically chose the Eastern District of Virginia to handle the case because its court system is known for handling intricate business cases more quickly than other courts. The local rules are designed to expedite the process.

The government also argued the case should also remain in Virginia because the commonwealth's attorney general joined the Justice Department's case. Some of the allegations in the case also relate to the Department of Defense, which is headquartered in Virginia.

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Citation: Google loses bid to move DOJ's antitrust suit to NY from Virginia (2023, March 13)
retrieved 18 April 2024 from
<https://techxplore.com/news/2023-03-google-doj-antitrust-ny-virginia.html>

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