

# **Dominance in Search: Harms and Remedies**

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Harvard Business School

February 20, 2012

# About me

- Assistant Professor, Harvard Business School
  - Teaching: starting and running .COM's
  - Research: Internet architecture and business opportunities, especially vis-à-vis law and regulation
- Consulting: advertising fraud, privacy, compliance
  - Some clients adverse to Google

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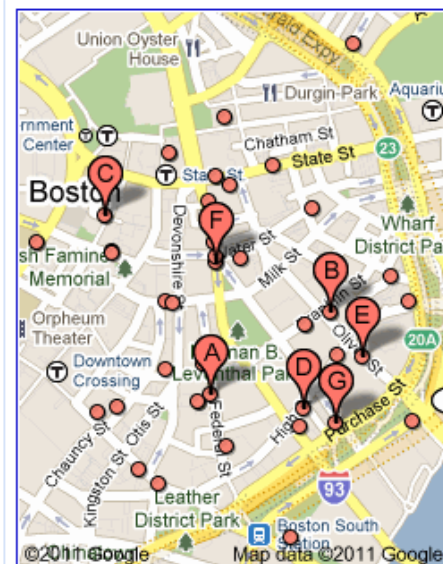
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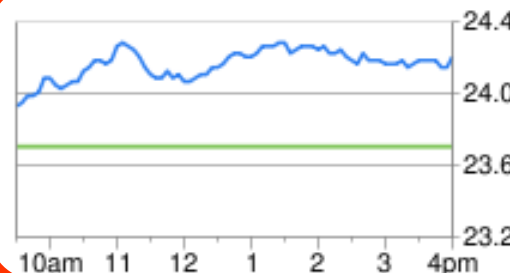
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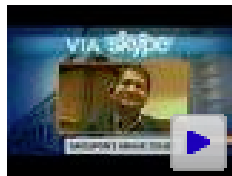
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[streetfightmag.com/2011/06/10/street-fight-daily-06-10-11/](http://streetfightmag.com/2011/06/10/street-fight-daily-06-10-11/) - Cached

Jun 10, 2011 – A restaurant owner talks to **Rocky Agarwal** about why **Groupon** was “the single worst decision I have ever made as a business owner. ...

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[www.wordstream.com/blog/ws/2011/06/17/groupon-bad-press](http://www.wordstream.com/blog/ws/2011/06/17/groupon-bad-press) - Cached

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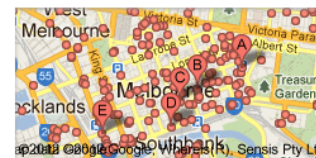
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## The Hotel Windsor

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★★★★☆ 41 reviews  2 **Your rating:** ★★★★★

**At a glance:** opposite parliament house · grand ballroom · old world charm · superior room · the princess

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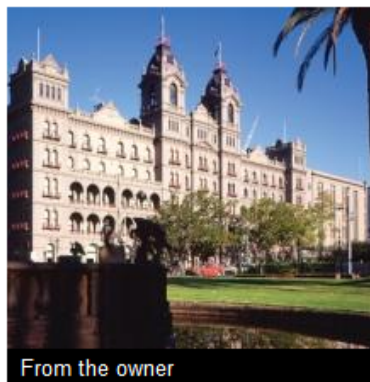
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6:15 am	—2h→	7:53 am	JetBlue 1321	BOS-BWI nonstop	FEB 25, 2012 ✕
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9:20 am	—2h→	10:55 am	Southwest		unknown price
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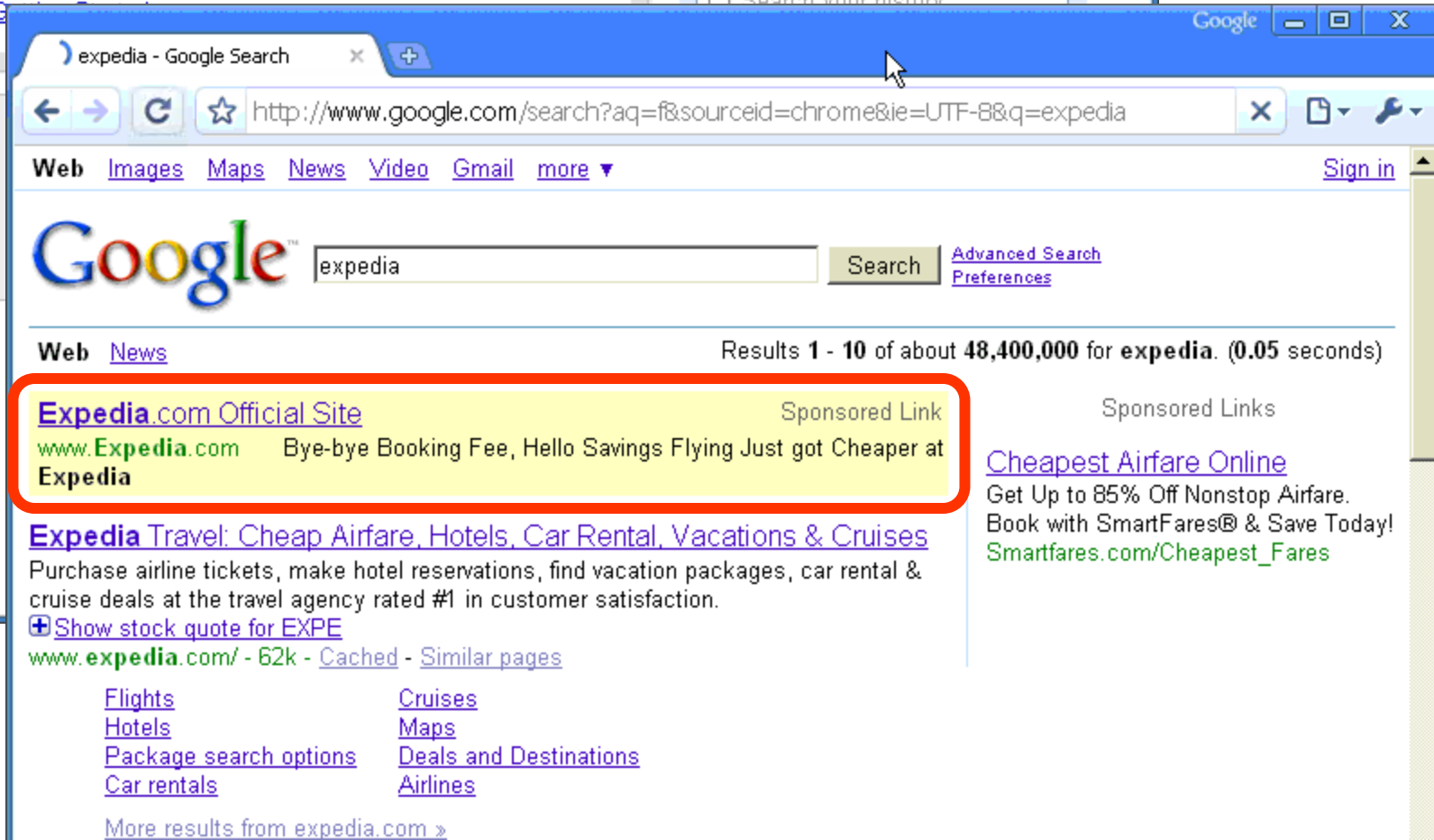
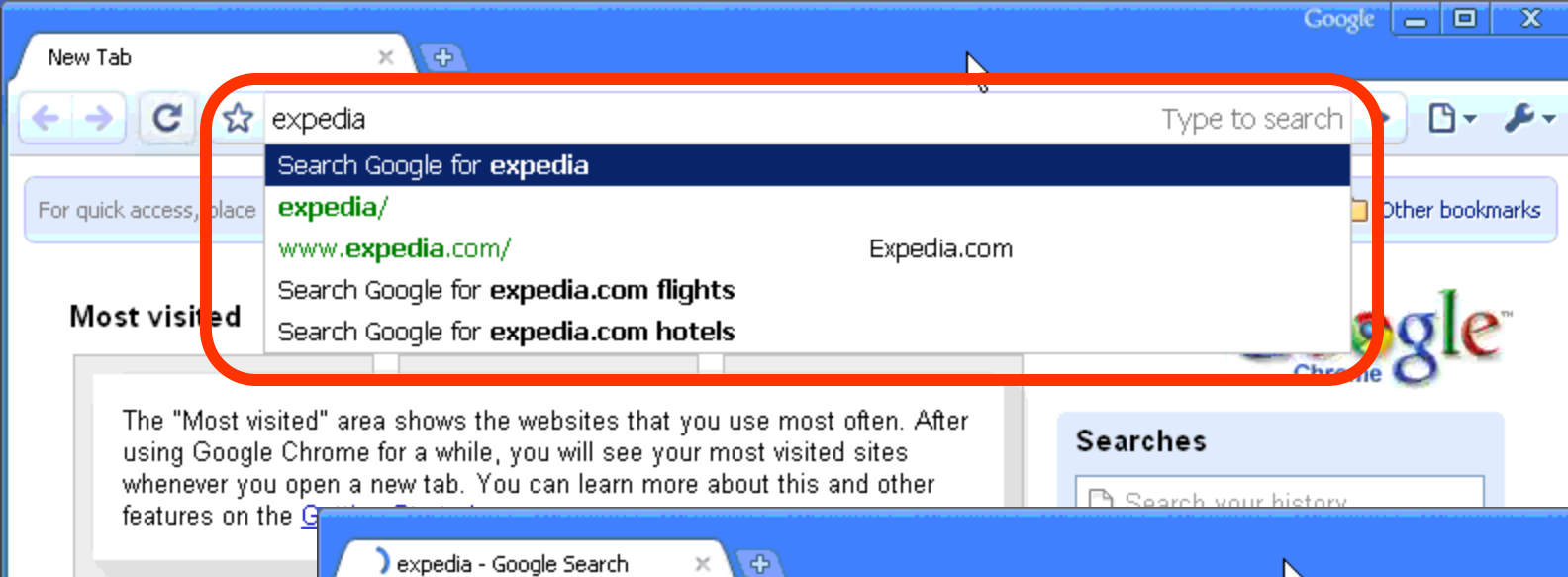
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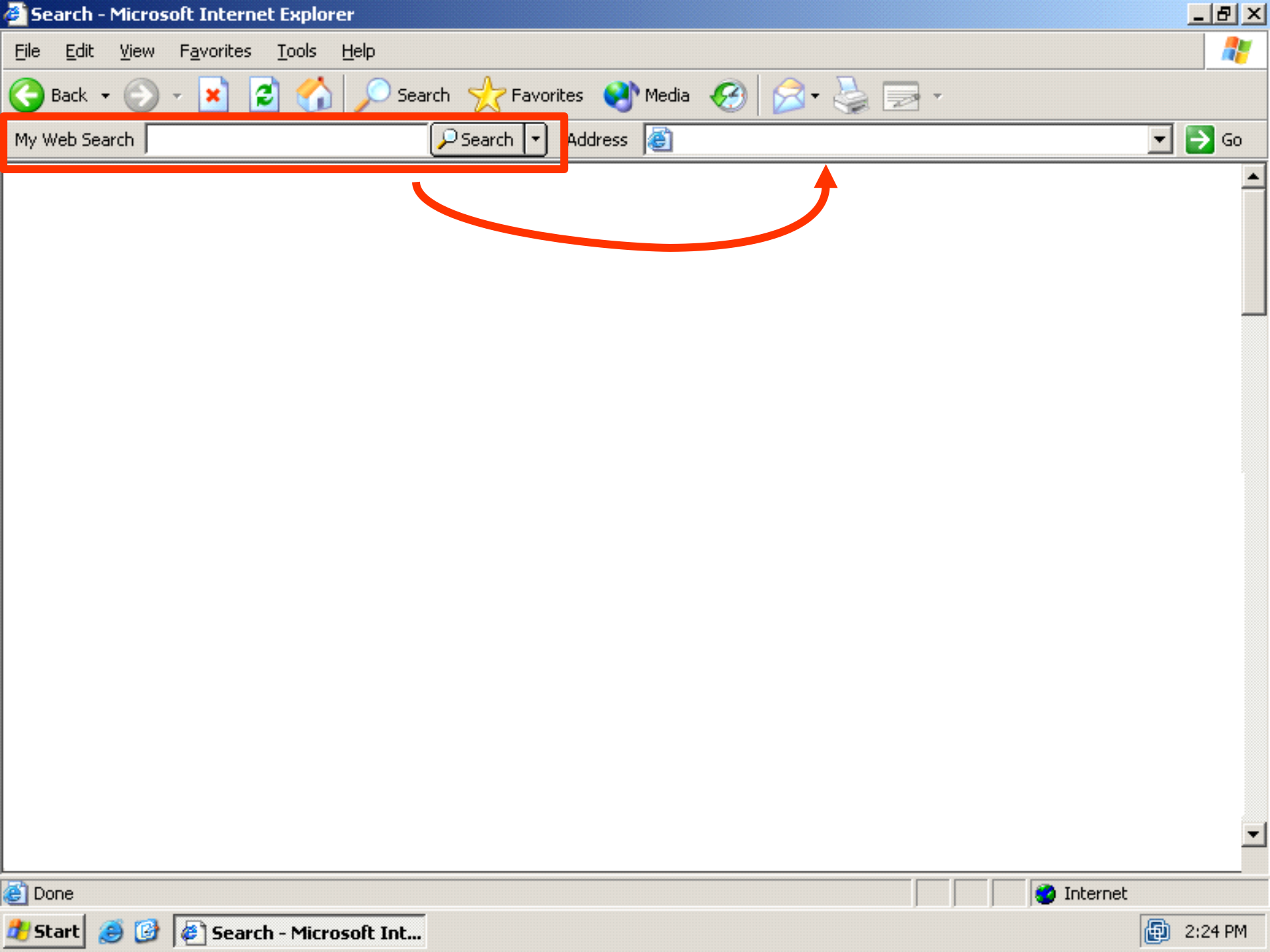
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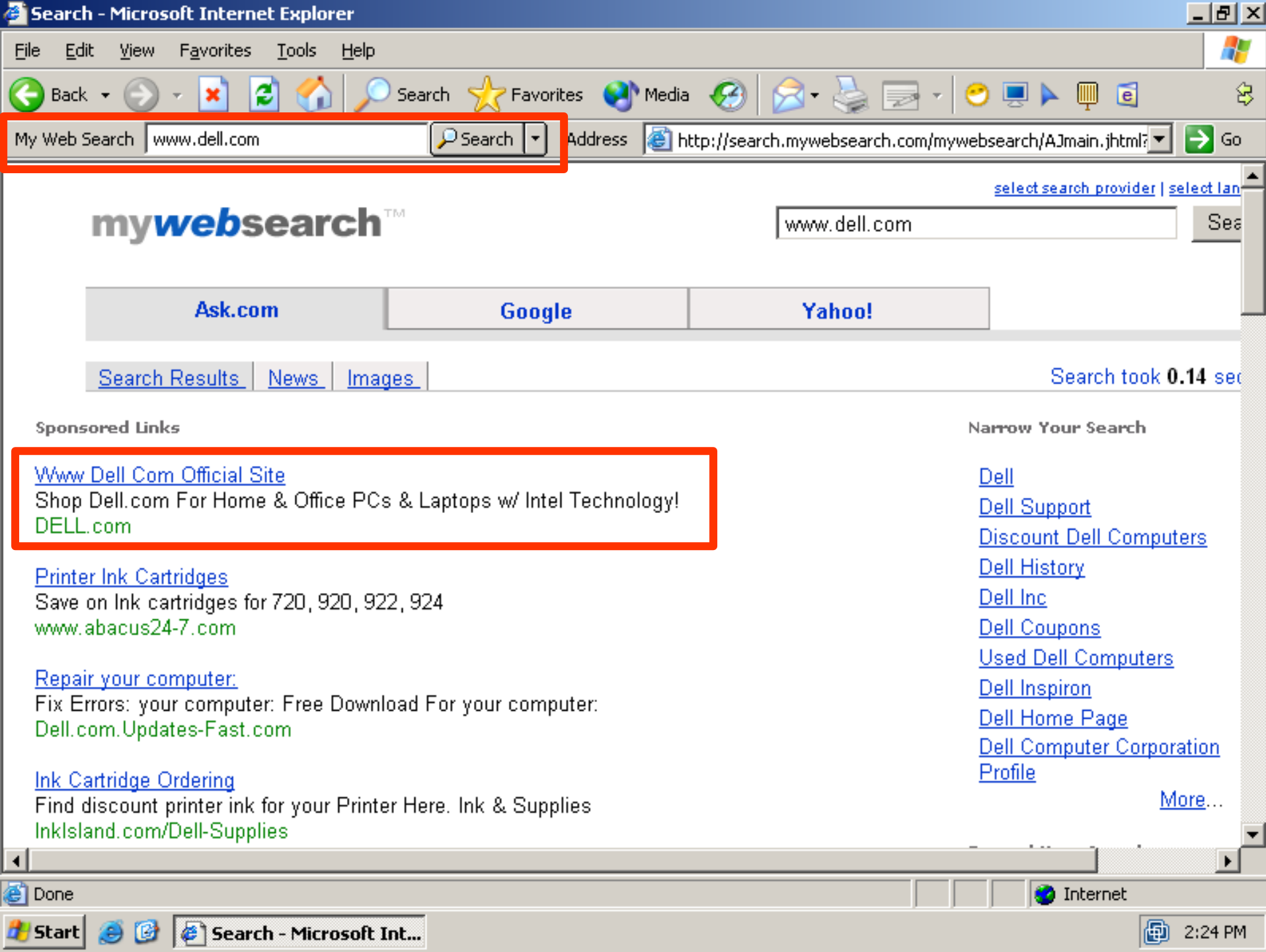
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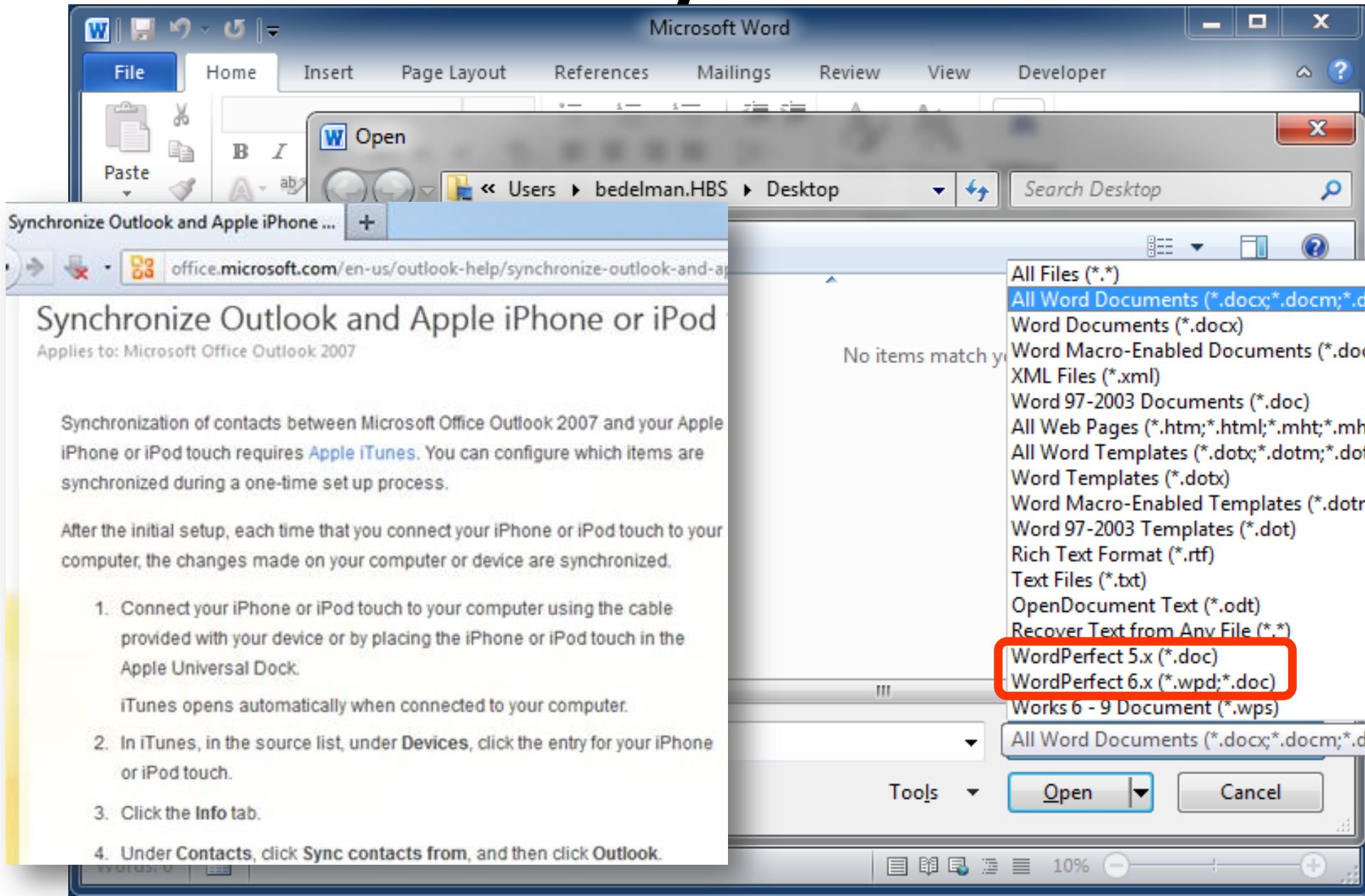
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**10 Miscellaneous.** The Agreement must be construed as if both parties jointly wrote it, governed by California law except for its conflicts of laws principles and adjudicated in Santa Clara County, California. ... Any notices to Google must be sent to Google Ireland Limited, AdWords Program, 1st & 2nd Floor, Gordon House, Barrow Street, Dublin 4, Ireland, with a copy to Legal Department, via confirmed facsimile, with a copy sent via first class or air mail or overnight courier, and are deemed given upon receipt. Notice to Customer may be effected by sending email to the email address specified in Customer's account, or by posting a message to Customer's account interface, and is deemed received when sent (for email) or no more than 15 days after having been posted (for messages in Customer's account interface).

# Potential concerns

- Does Google treat consumers fairly?
- Does Google treat publishers fairly?
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- Does Google impede competition?

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campaign export & synchronization



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# Current Antitrust Inquiries

- European Commission
- South Korea
- US FTC
- US states: California, New York, Ohio, Texas

# Remedies

- Disallow consideration of improper ranking factors
- Require disclosure to appropriate regulators of any manual ranking adjustments
- Let users swap “integrated” components
- Disallow Google from tying its ancillary services to its dominant search offering

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» Safety Bay



★ 6.7

**Tastings Coffee House**

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★ 9.2

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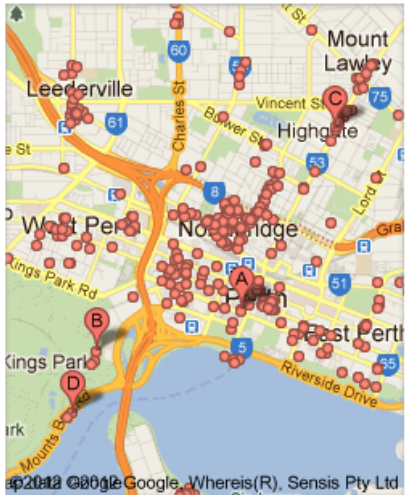
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# **Dominance in Search: Harms and Remedies**

Benjamin Edelman  
Harvard Business School

February 20, 2012