Dominance in Search: Harms and Remedies

Benjamin Edelman Harvard Business School

July 11, 2012

About me

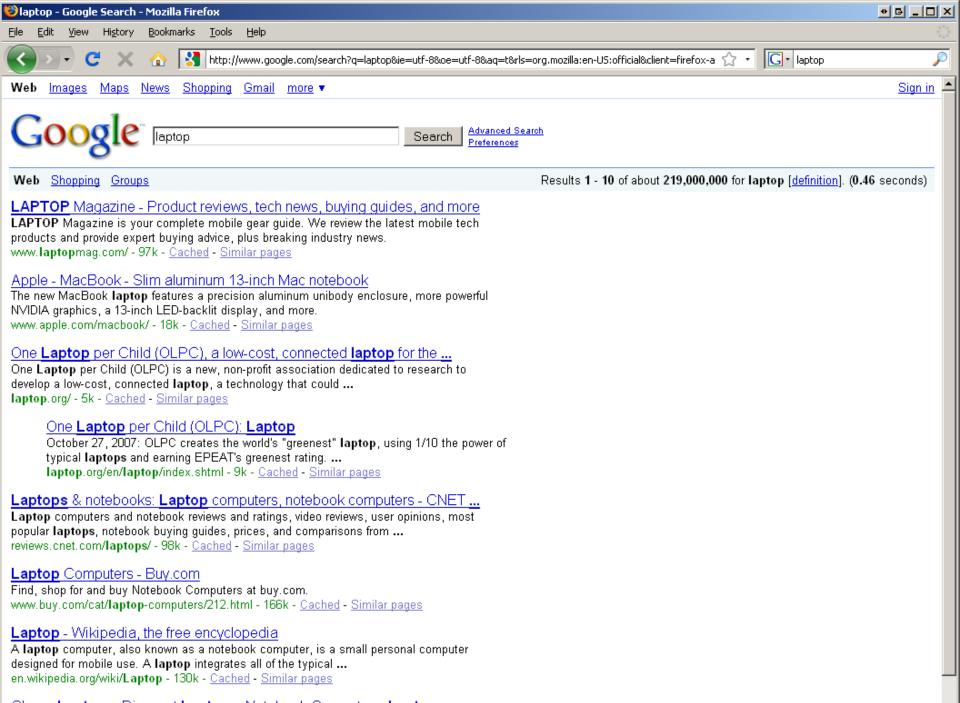
- Assistant Professor, Harvard Business School
 - Teaching: starting and running .COM's
 - Research: Internet architecture and business opportunities, especially vis-à-vis law and regulation
- Consulting: advertising fraud, privacy, compliance
 - Some clients adverse to Google

Google's dominance

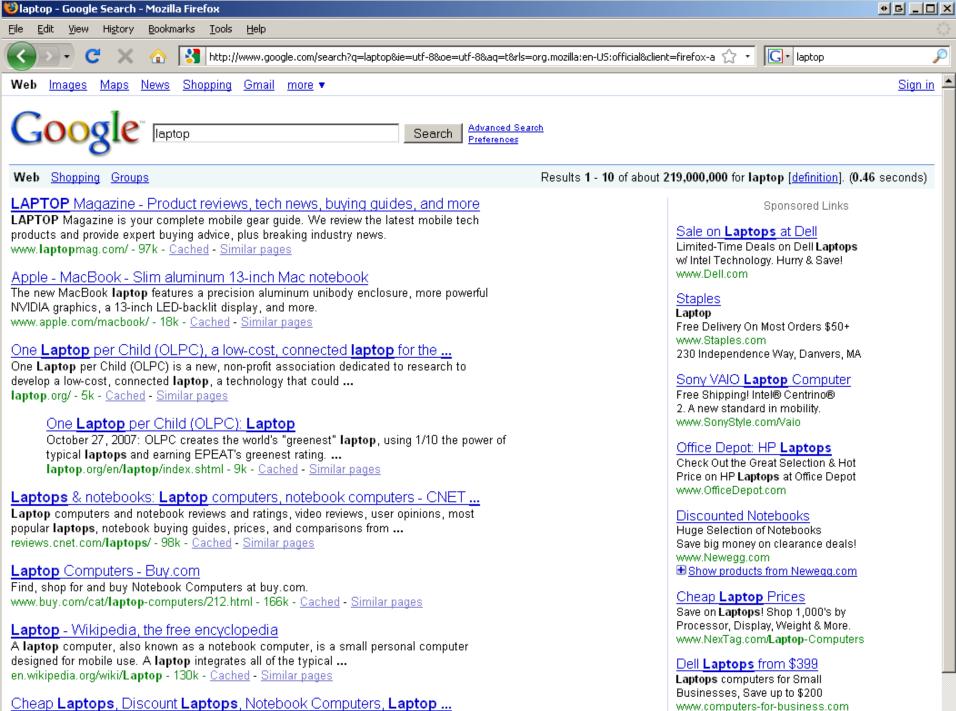
- >75% of web searches in US
- >90% of web searches in many large markets
- >90% of mobile searches

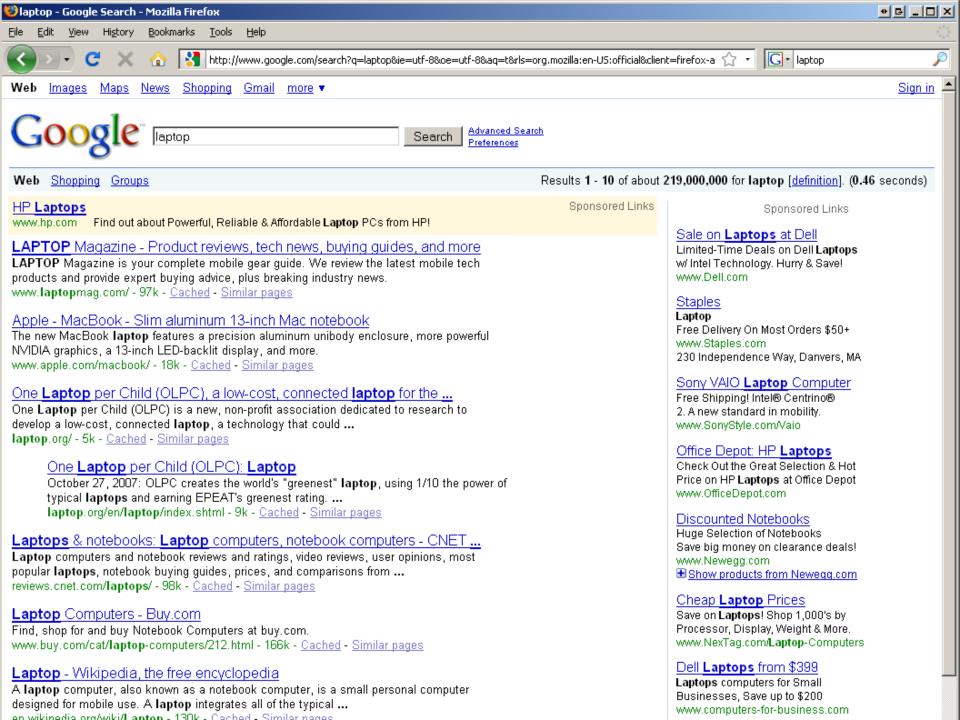
Potential concerns

- Does Google treat consumers fairly?
- Does Google treat advertisers fairly?
- Does Google treat publishers and emerging competitors fairly?
- Does Google impede competition?



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Google Street View

- Taking photographs in all directions
- Recording wi-fi data
 - Initially denied doing so



- Later, called this a "mistake" by a "rogue" engineer
- Impeding government investigation
 - Google: "time-consuming and burdensome" to search emails
 - FCC: Google "deliberately impeded and delayed" investigation

Potential concerns

- Does Google treat consumers fairly?
- Does Google treat advertisers fairly?
- Does Google treat publishers and emerging competitors fairly?
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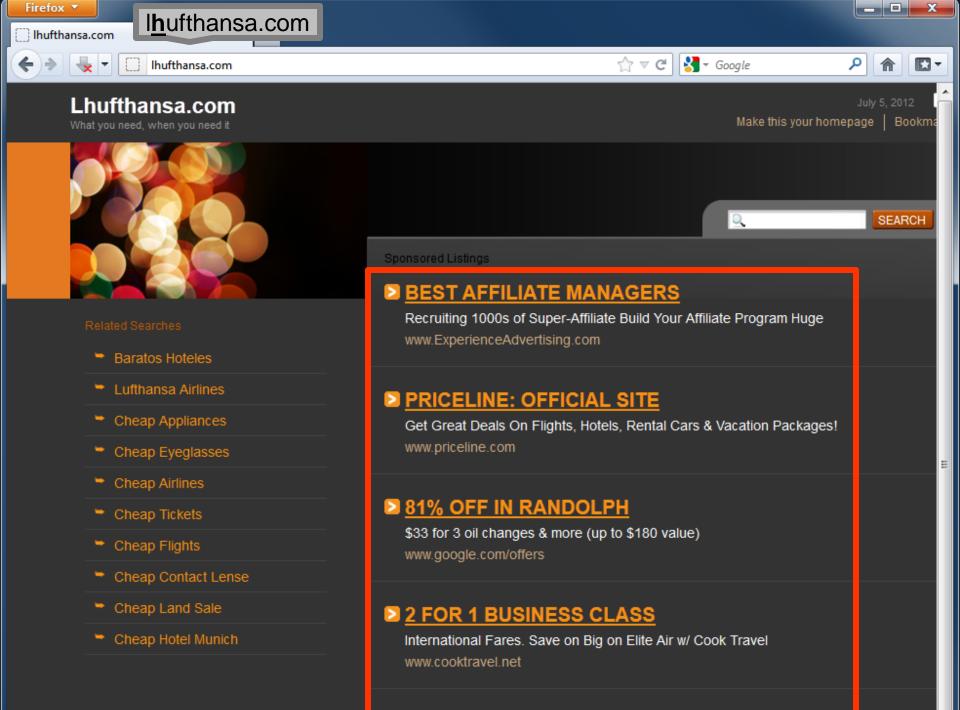
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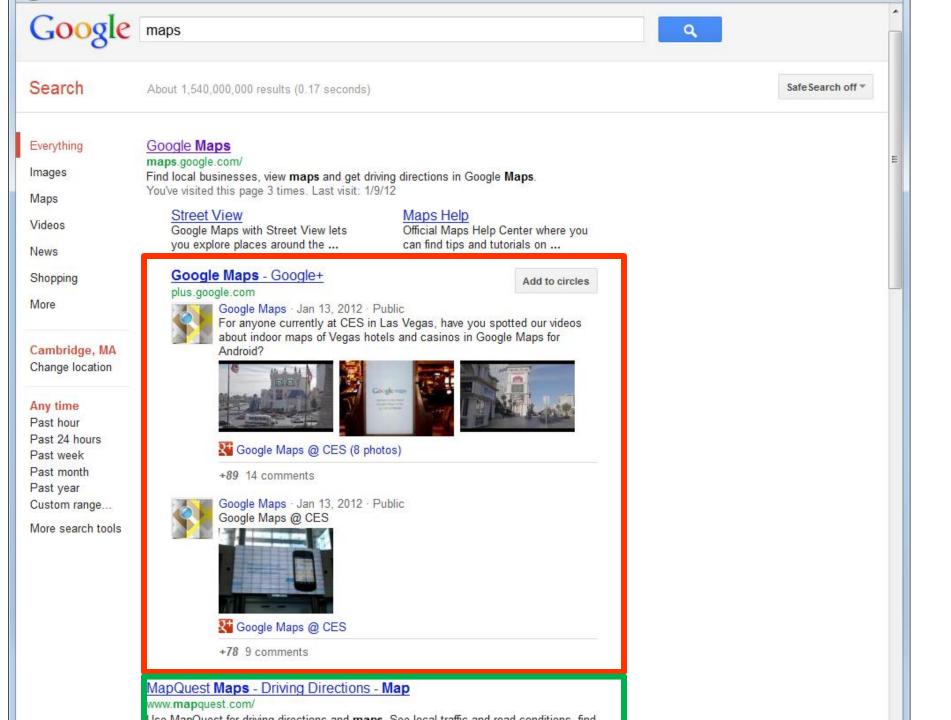
Why Groupon Is Poised For Collapse (Rocky Agrawal/Tech... | XYDO www.xydo.com/.../22092221-why_groupon_is_poised_for_collaps... - Cached Rocky Agrawal / TechCrunch:Why Groupon Is Poised For Collapse — Editor's note:This guest post is part of an in-depth series looking at the daily deal in...

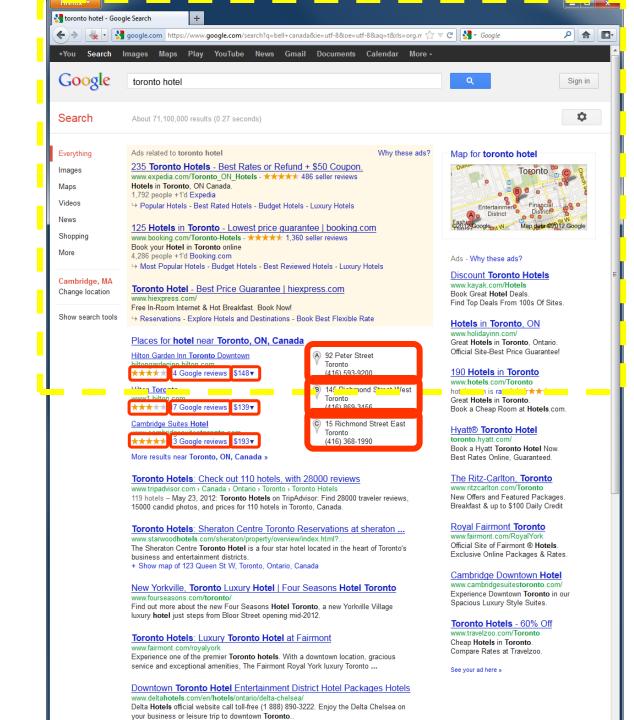
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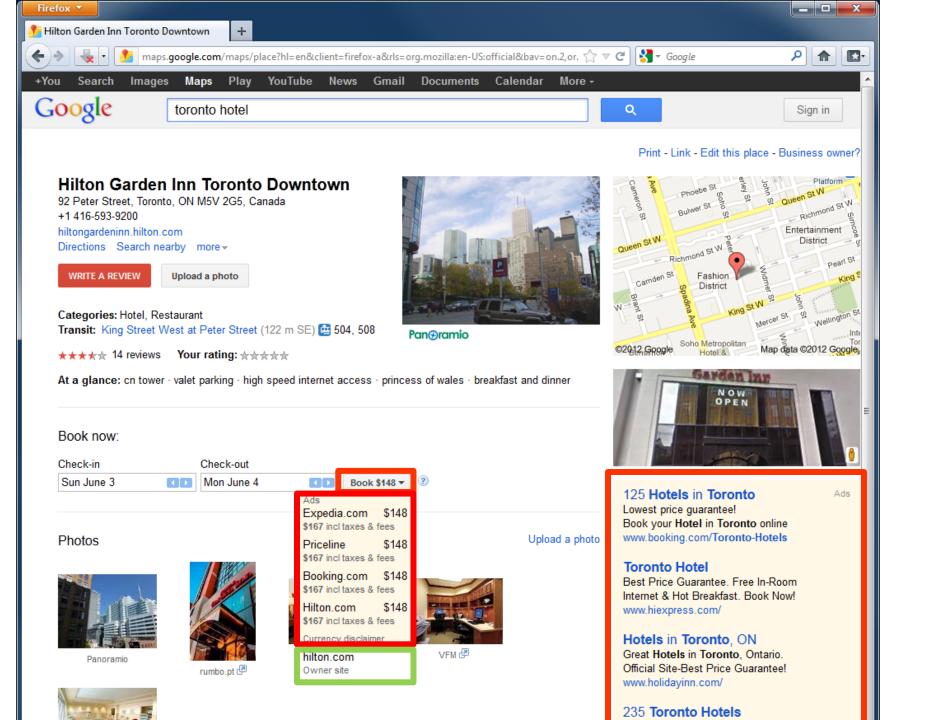
streetfightmag.com/2011/06/10/street-fight-daily-06-10-11/ - Cached Jun 10, 2011 – A restaurant owner talks to **Rocky Agarwal** about why **Groupon** was "the single worst decision I have ever made as a business owner. ...

Everyone Wants You to Fail: **Groupon's** Bad Press Keeps Up with Its ... www.wordstream.com/blog/ws/2011/06/17/groupon-bad-press - Cached Jun 17, 2011 – On TechCrunch, **Rocky Agrawal** has been writing a series of posts about **Groupon** – which as you surely know recently filed for a \$750 million ...

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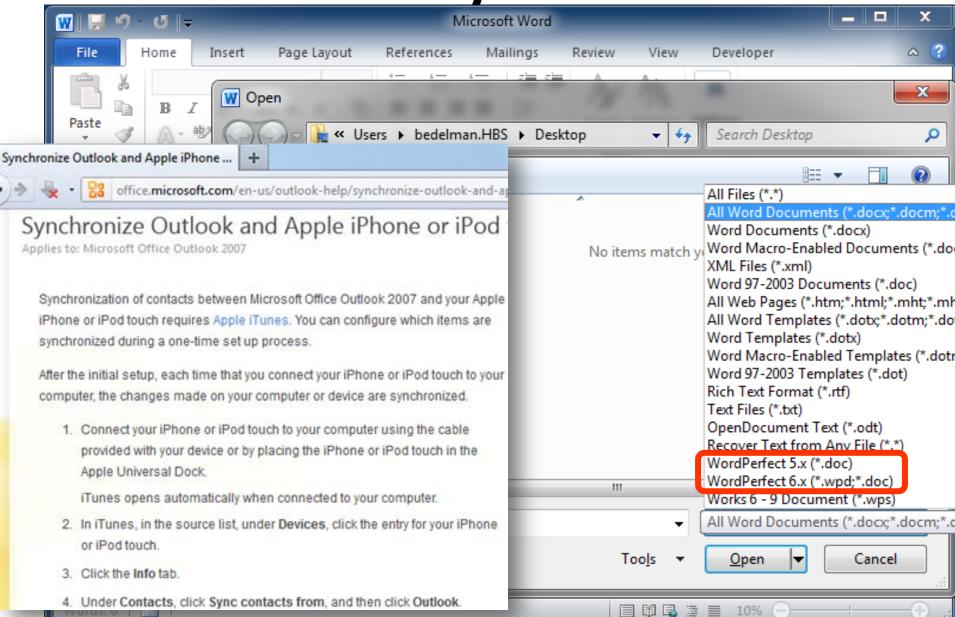




Potential concerns

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

Conversions and Synchronizations





AdWords API Terms & Conditions

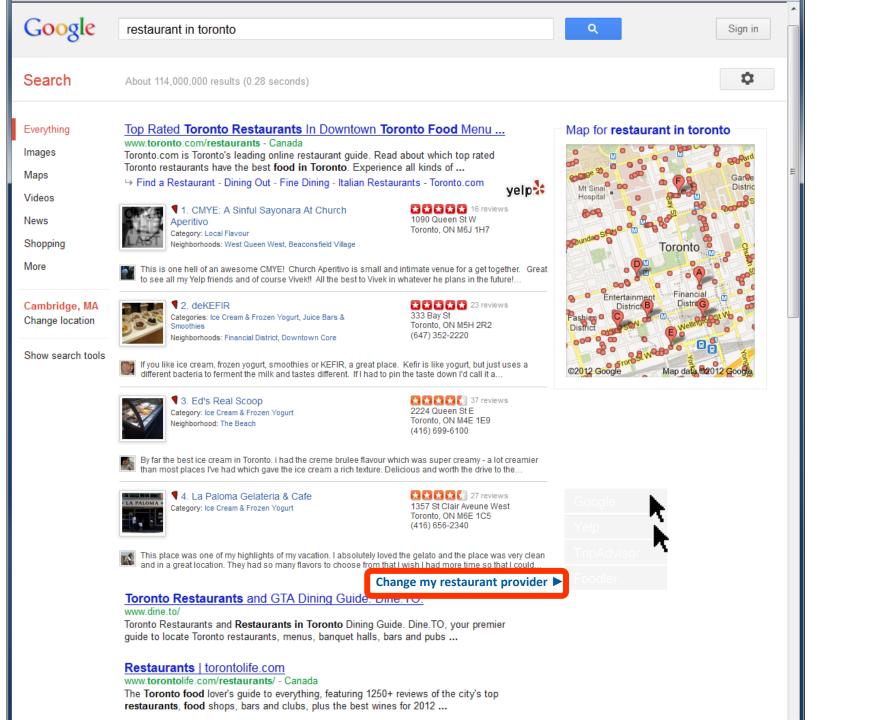
Functional Separation. Any information collected from an input field used to collect AdWords API Campaign Management Data may be used only to manage and report on AdWords accounts. ... [A]ny information or data used [for] AdWords ... must have been collected from an input field used only to collect AdWords ... For example, the AdWords API Client may not offer a functionality that copies data from a non-AdWords account into an AdWords account or from an AdWords account to a non-AdWords account.

Current Antitrust Inquiries

- European Commission
- India
- 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



Dominance in Search: Harms and Remedies

Benjamin Edelman Harvard Business School