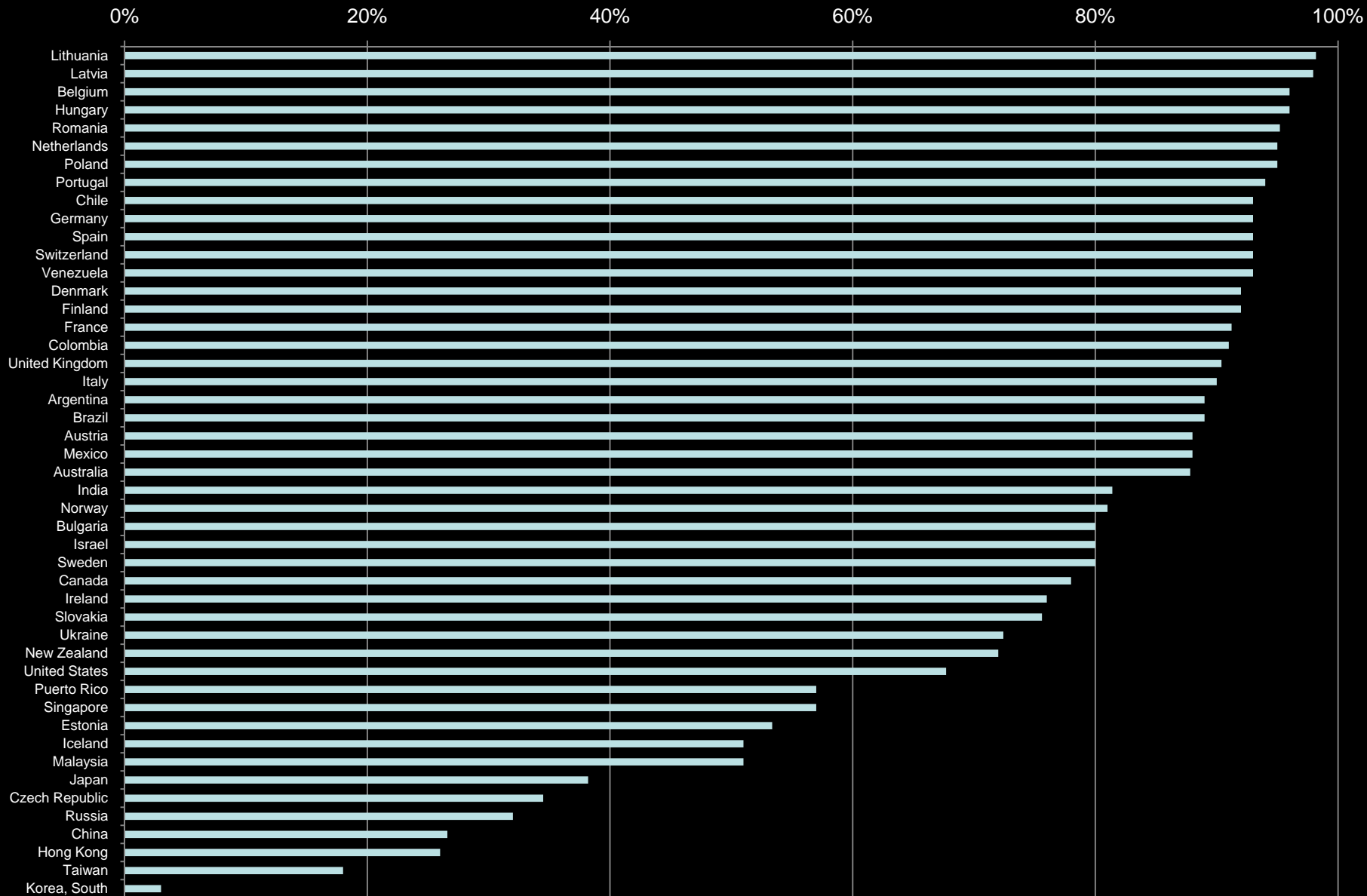


# The Price and Non-Price Implications of Market Concentration in Internet Search

Benjamin Edelman  
Harvard Business School

here on my own,  
speaking only for myself

# Google Search Market Share



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laptop

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| <a href="#">HP Pavilion Dv6910us Entertainment - Turion 64 ...</a> | \$649 to \$940 - 18 stores     |
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# Google's Non-Price Terms

- Forced purchase of undesirable placements
- Absence of itemized billing
- One-sided dispute resolution provisions
- Restrictions on data portability



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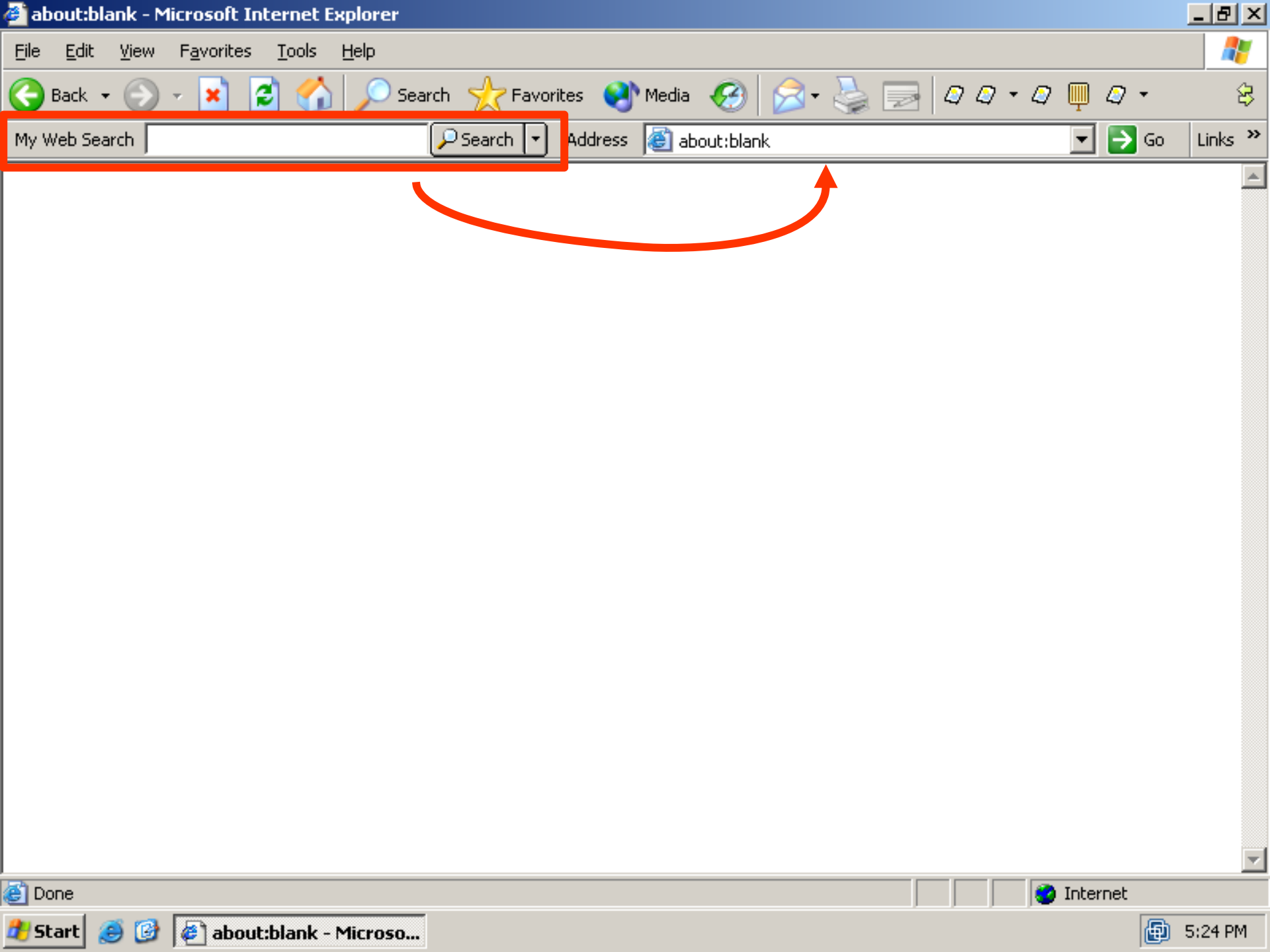
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January '10

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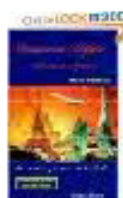
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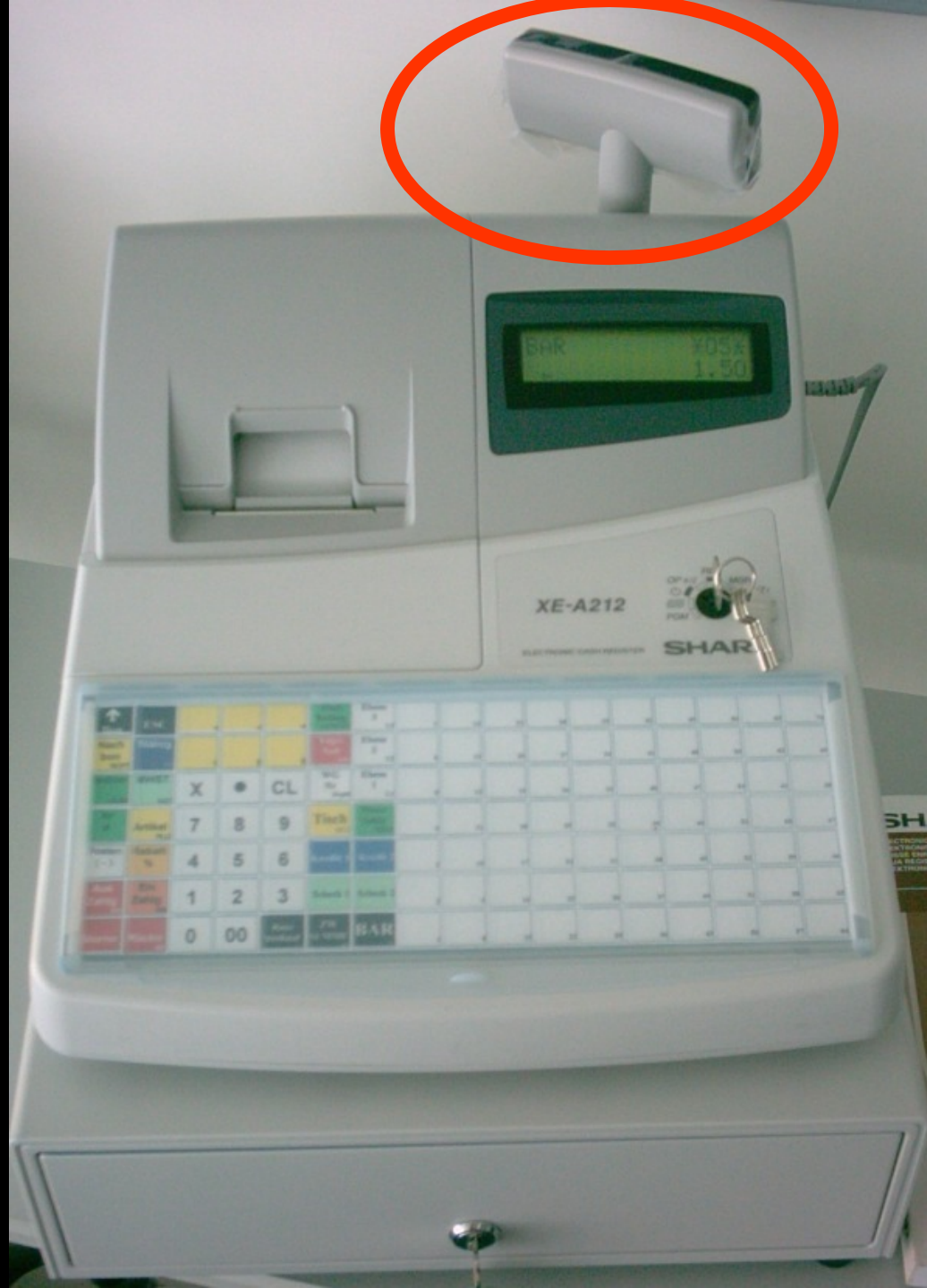


# Google's Non-Price Terms

- Forced purchase of undesirable placements
- Absence of itemized billing
- One-sided dispute resolution provisions
- Restrictions on data portability

# Google's Non-Price Terms

- Forced purchase of undesirable placements
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“In reply to your traffic quality complaint –

One of our partners had a subpartner that violated our policies. You were charged \$600 for traffic from that subpartner. We will refund you that \$600.”

(adapted from an actual reply from an ad network)

# Google's Non-Price Terms

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# AdWords Terms & Conditions

Customer understands and agrees that ads may be placed on any other content or property provided by a third party ("Partner") upon which Google places ads ("Partner Property"). Customer agrees that all placements of Customer's ads shall conclusively be deemed to have been approved by Customer unless Customer produces contemporaneous documentary evidence showing that Customer disapproved such placements in the manner specified by Google.

Customer understands that third parties may generate impressions or clicks on Customer's ads for prohibited or improper purposes, and Customer accepts the risk of any such impressions and clicks. Customer's exclusive remedy, and Google's exclusive liability, for suspected invalid impressions or clicks is for Customer to make a claim for a refund in the form of advertising credits for Google Properties within the time period required under Section 7 below. To the fullest extent permitted by law, refunds (if any) are at the discretion of Google and only in the form of advertising credit for only Google Properties. Nothing in these Terms or an IO may obligate Google to extend credit to any party.

# Google AdWords Dispute Resolution<sup>(AU)</sup>

**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).



# Google's Non-Price Terms

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# Google Ads are Expensive

- 49% of sampled advertisers bought traffic from Yahoo at average prices (effective CPA) 30% less than the prices those advertisers faced for the same campaigns at Google.
- 72% of sampled advertisers bought traffic from Microsoft at an effective CPA 27% less than the same campaigns at Google.
- For 40% of sampled advertisers, Yahoo and Microsoft jointly provided at least 10% as much traffic as Google, at prices at least 10% lower than those available at Google. For 29% of advertisers, Yahoo and Microsoft offered at least 20% as much traffic as Google at prices at least 20% less than Google's prices.

# AdWords API Terms & Conditions

Inputs Fields. The AdWords API Client must not show in the same area of a page, or otherwise visually or functionally associate, any input fields for collecting or transmitting AdWords API Campaign Management Data with the content of Third Parties or input fields for ... transmitting data to Third Parties. [A]n AdWords API Client must not (a) use the same input field ... to collect ... data that will be used [for] both AdWords ... and also ... for ... a Third Party advertising network, or (b) use input fields ... which are visually adjacent to input fields ... for a campaign on a Third Party advertising network.

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. Similarly, any information or data used [for] AdWords ... must have been collected from an input field used only to collect AdWords ... Data. 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.

Campaign Management Data Storage. All AdWords API Campaign Management Data must be stored separate from Third Party advertising network data. Additionally, AdWords API Campaign Management Data may not be stored in a manner that is associated (through relational data structures, links or otherwise) with Third Party advertising network data.

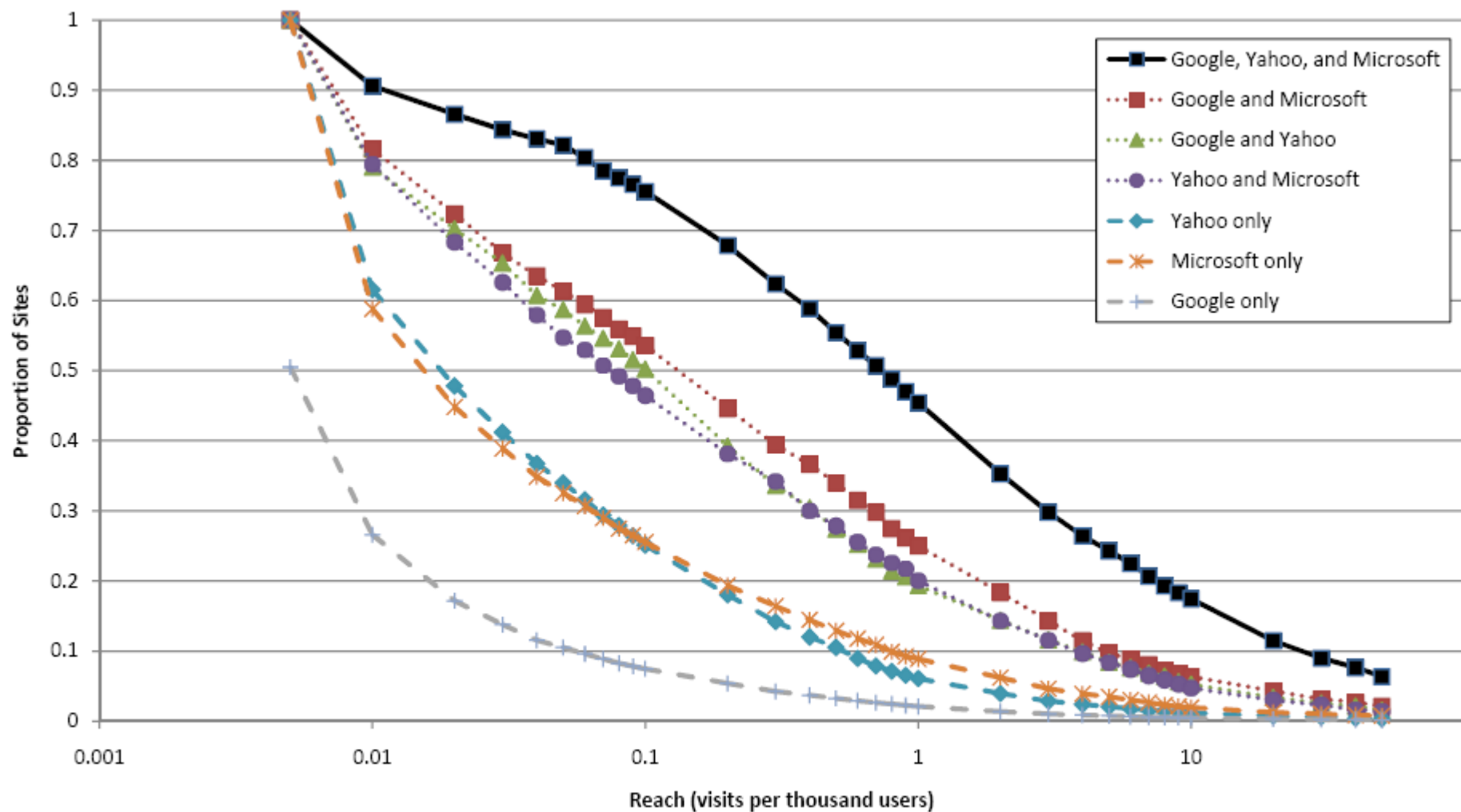


Figure 1: Advertiser Reach and Multi-homing Status (Source 2)

# Other Results of Google's Power

- Viewpoint discrimination
  - e.g. “cougar” dating sites
- Disfavoring certain business models
  - e.g. vertical search (TradeComet, Foundem)
- Favoring Google's own services
  - e.g. Mapquest versus Google Maps
  - Video, finance, product search

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more examples, perpetrators, and infractions