

# Federal Trade Commission Seminar

Professor Timothy J. Muris

**Syllabus (Fall 2007): Thursdays 6:00 pm – 7:50 pm**

We will study the FTC as an institution, as an enforcement agency, and as an advocacy and research agency.

Grades will be based upon a paper, which will be due the last class period, Thursday, November 29<sup>th</sup>, at which time we will briefly discuss the papers. (I will ask each class member questions about his or her paper.) I will circulate a list of topics, from which you can choose to write your paper or we can mutually agree on another topic. We will have individual meetings on the topics on September 27<sup>th</sup>. (I will circulate a sign up sheet on September 20<sup>th</sup>.)

An outline, of at least 4-5 double spaced pages, will be due on October 4<sup>th</sup>. Individual meetings with me on the outlines will be on October 11<sup>th</sup>. (I will circulate a sign-up schedule on October 4<sup>th</sup>.)

Class sessions other than the final class and the individual meetings will cover:

- Overview of the Agency
- FTC History
- Antitrust: Non Mergers
- Antitrust: Mergers
- Consumer Protection: Privacy
- Consumer Protection: Non-privacy Issues
- Advocacy and Research

Although I may supplement this list from time to time, following are relevant materials:

## Overview

- Annual Reports (2004, 2005, 2006, and 2007)  
[www.ftc.gov/opa/2004/04/abareport.htm](http://www.ftc.gov/opa/2004/04/abareport.htm)  
[www.ftc.gov/opa/2005/04/05annualrpt.htm](http://www.ftc.gov/opa/2005/04/05annualrpt.htm)  
[www.ftc.gov/opa/2006/03annualrpt06.htm](http://www.ftc.gov/opa/2006/03annualrpt06.htm)  
[www.ftc.gov/os/2007/04/ChairmansReport2007.pdf](http://www.ftc.gov/os/2007/04/ChairmansReport2007.pdf)
- Clarkson & Muris – Chapters 1 and 15 (**on reserve**)
- *More than Law Enforcement: The FTC's Many Tools – A Conversation with Tim Muris and Bob Pitofsky*  
72 Antitrust Law Journal 773 (2005)

## History

- [www.ftc.gov/ftc/history/ftchistory.htm](http://www.ftc.gov/ftc/history/ftchistory.htm) (Marc Winearman Paper)

## Competition - General

- *Improving the Economic Foundations of Competition Policy*  
12 *George Mason Law Review* 1 (Fall 2003)
- *State Intervention/State Action – A U.S. Perspective*  
Fordham University School of Law, International Antitrust Law & Policy  
Chapter 22 (2003 Corporate Law Institute)
- *Looking Forward: The Federal Trade Commission and The Future Development of U.S. Competition Policy*  
2 *Columbia Business Law Review* 359 (2003)
- *Principles For a Successful Competition Agency*  
72 *University of Chicago Law Review* 165 (2005)
- "Protecting Competition and Consumers: A Conversation With Timothy J. Muris"  
22 *Health Affairs* 101 (November/December 2003), available on [ftc.gov](http://www.ftc.gov)  
<http://www.ftc.gov/speeches/muris.htm>
- In Re: *In the Matter of Polygram Holding, Inc.*, Docket No. 9298  
[www.ftc.gov/os/caselist/d9298.hf](http://www.ftc.gov/os/caselist/d9298.hf) (7/24/03), Affirmed D.C. Circuit (7/22/05)
- New View of Antitrust Law: See No Evil, Hear No Evil  
Stephen Labaton, *The New York Times Company*, 5/5/06 Late Edition - Final  
<http://www.lexis-nexis.com/terms/general>
- Assessing Part III Administrative Litigation:  
Interview with Timothy J. Muris  
20 *Antitrust* 2 (Spring 2006)

## Competition – Merger

- *FTC v. Staples*, 970 F. Supp 1066
- *FTC v. Cardinal Health*, 12 F. Supp 2d 34
- *US v. Sungard*, 172 F. Supp 2d 172

## Competition – Non-Merger

- New View of Antitrust Law; See No Evil, Hear No Evil  
May 5, 2006 Friday, Late Edition – Final  
<http://www.nytimes.com>

### Consumer Protection

- *The Federal Trade Commission and the Future Development of U.S. Consumer Protection Policy*  
Remarks by Timothy J. Muris  
(on reserve)
- *The Interface of Competition and Consumer Protection*,  
Fordham University School of Law, International Antitrust Law & Policy  
Chapter 2 (2002 Corporate Law Institute)
- “Commercial Speech: Essential for Health of Consumers and Free Enterprise”  
Washington Legal Foundation, Vol. 20, No. 13 (March 25, 2005)  
[www.wlf.org/upload/032405LBMuris.pdf](http://www.wlf.org/upload/032405LBMuris.pdf)

### Advocacy & Research

- [www.ftc.gov/opa/2002/09/icnnaples.htm](http://www.ftc.gov/opa/2002/09/icnnaples.htm)
- [www.ftc.gov/reports/index.htm](http://www.ftc.gov/reports/index.htm) (Patents)
- [www.ftc.gov/reports/index.htm](http://www.ftc.gov/reports/index.htm) (Healthcare)