
New Trial for ‘Two-Sided’ Airline Reservation Platform

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Few antitrust litigations go all the way to a jury trial, but a case involving Sabre, a leading travel reservation platform, may get to a second jury trial following the U.S. Court of Appeals for the Second Circuit’s opinion applying recent Supreme Court guidance on antitrust analysis of two-sided markets. The Supreme Court’s decision, handed down after the *Sabre* jury verdict, determined that “transaction platforms” must be analyzed as two-sided antitrust markets, as a matter of law. The appellate court vacated the jury verdict finding that Sabre violated antitrust law because the trial court did not instruct the jury that it had to evaluate the competitive impact of Sabre’s contractual restrictions on both sides of Sabre’s platform: the airlines on one side and travel agents on the other.

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