

Seventh Circuit Explores Antitrust Pleading Standards

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The U.S. Court of Appeals for the Seventh Circuit took the unusual step of reviewing a lower court's decision that a complaint sufficiently alleged a conspiracy in the text messaging industry to examine pleading standards in light of recent Supreme Court opinions. The Federal Trade Commission (FTC) ruled that the completed combination of two battery separator manufacturers violated antitrust law and required a divestiture of the entire acquired business and additional ancillary relief. A district court decided that a complaint alleging unlawful tying involving the popular Webkinz stuffed animals sufficiently defined a relevant market to survive a motion to dismiss.