

CLIENT ALERT

FTC Announces New (Lower) HSR and Section 8 Thresholds

Jan.19.2010

As if we needed any further evidence of the economic crisis of the past year, for the first time in history the Federal Trade Commission announced today that it would lower the jurisdictional thresholds applicable to both the Hart-Scott-Rodino Antitrust Improvements Act of 1976 (the "HSR Act") and Section 8 of the Clayton Act. These dollar thresholds are indexed annually based on changes in the U.S. gross national product.

The HSR Act requires that certain large transactions be notified prior to their consummation. This year, the minimum size-of-transaction threshold for reporting mergers and acquisitions will decrease from \$65.2 million to \$63.4 million. In addition, the size-of-person thresholds, the filing fee thresholds and the thresholds applicable to certain exemptions will also decrease. These revisions will become effective thirty days after their publication in the Federal Register.

The FTC also issued revised thresholds relating to the prohibition of certain interlocking directorates under Section 8 of the Clayton Act. These revisions take effect immediately.

[Click to read a full copy of the Commission's announcement, including all of the revised thresholds.](#)

For more information, please contact the professional(s) listed below, or your regular Crowell & Moring contact.

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