Key Numbers & Headnotes

Legal Research Center Video Series



David Isom



The West Key Number System

- Identifies and indexes legal concepts so you can find cases stating or applying a legal concept, even if those terms don't appear in the text of the opinion.
- General headings called topics (more than 400).
- Topics are subdivided into subtopics and sub-subtopics, which are assigned Key Numbers.
- Functions as an index to all published cases.







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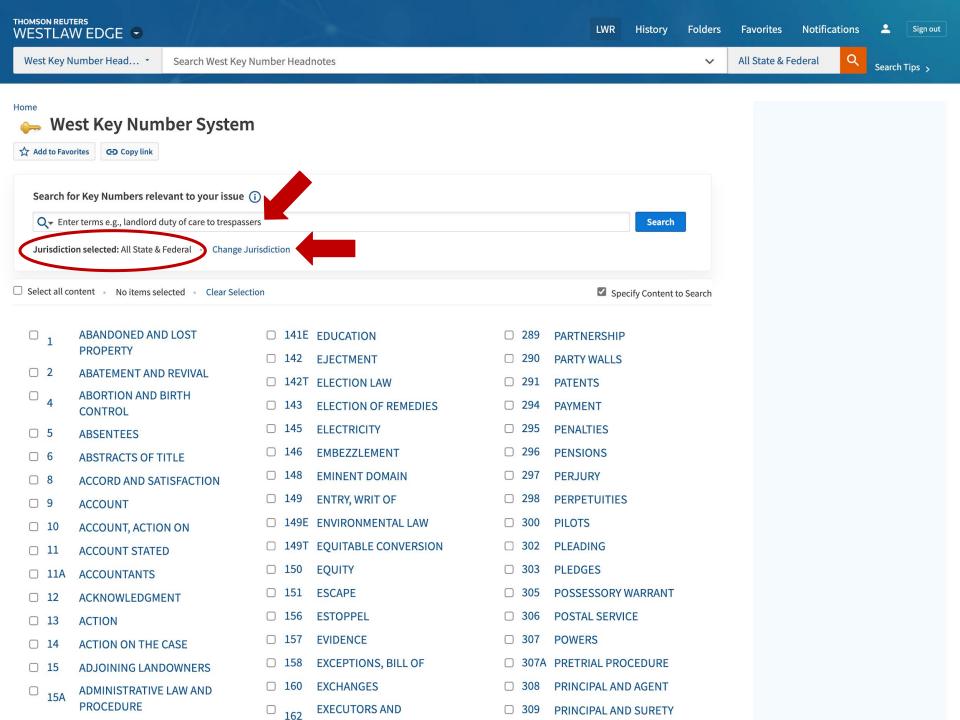
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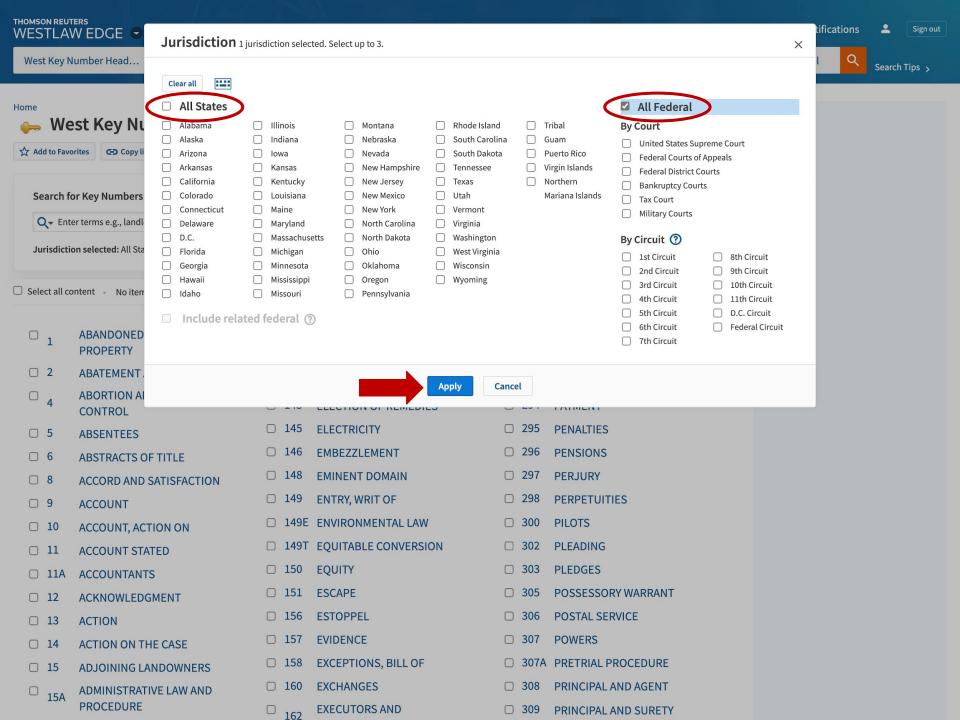
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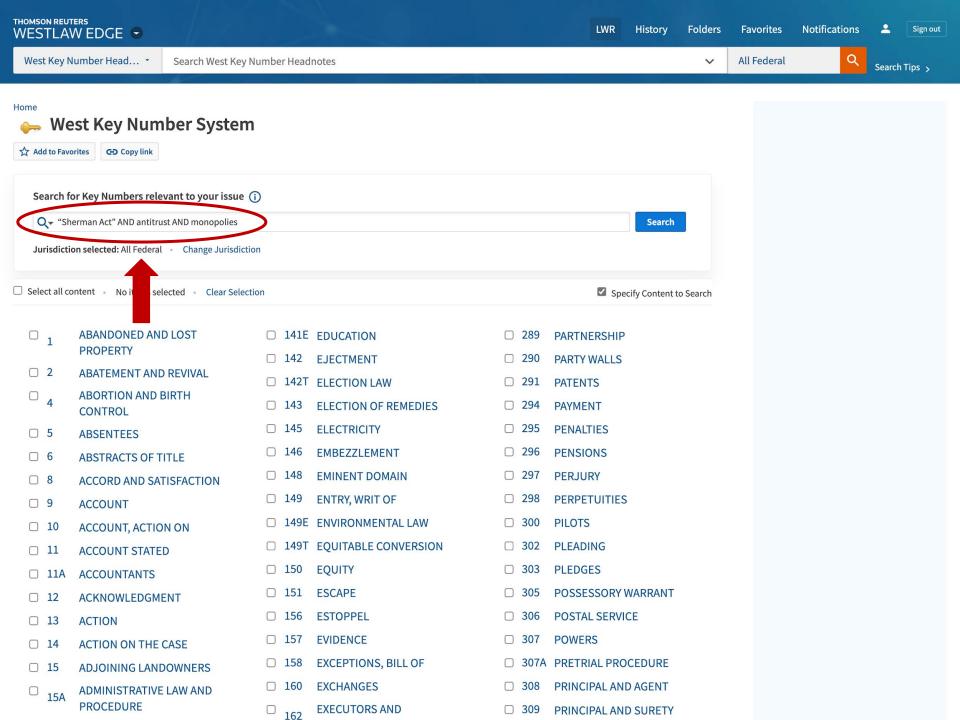
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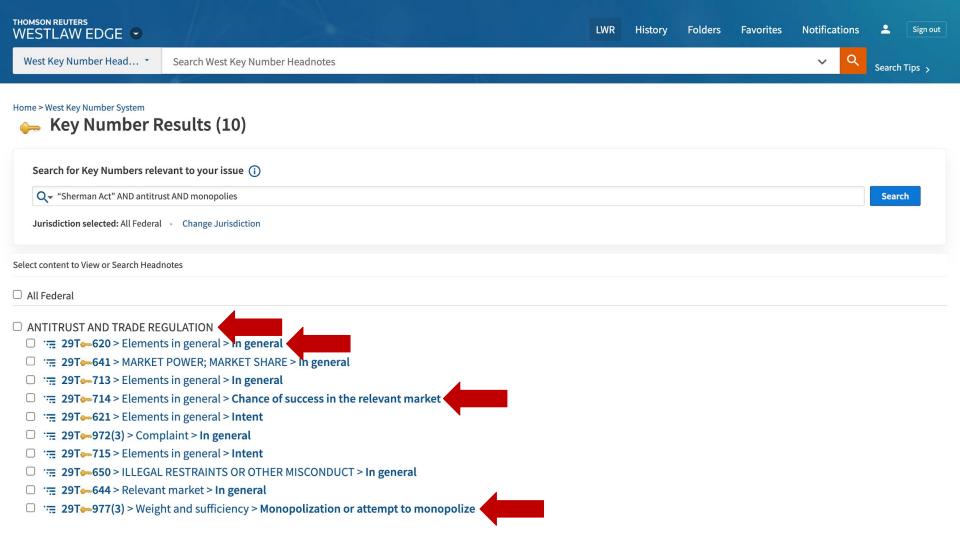
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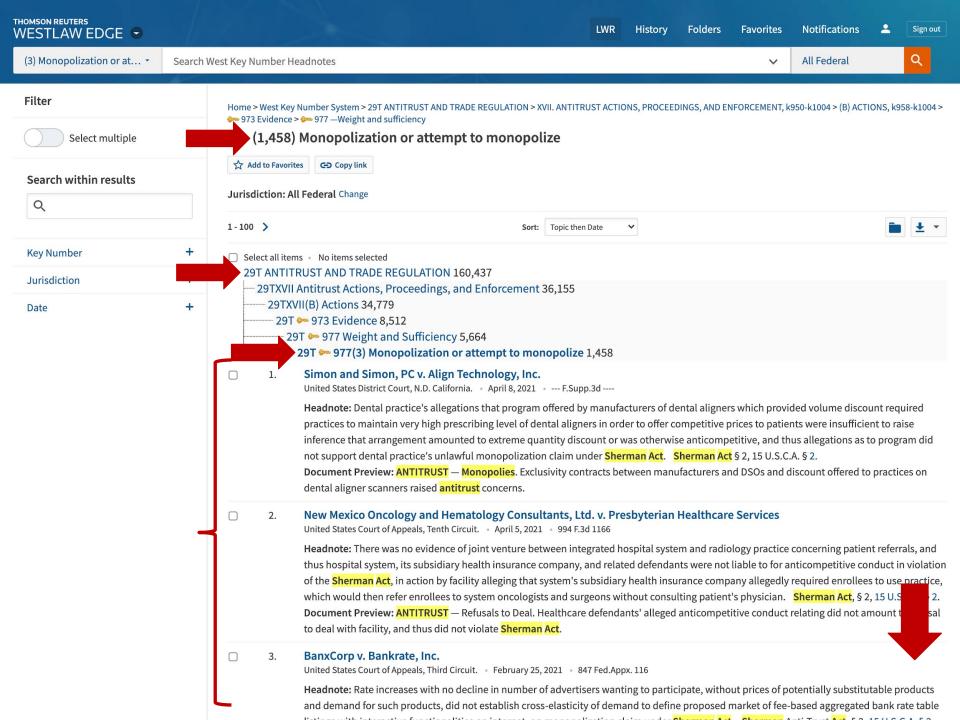






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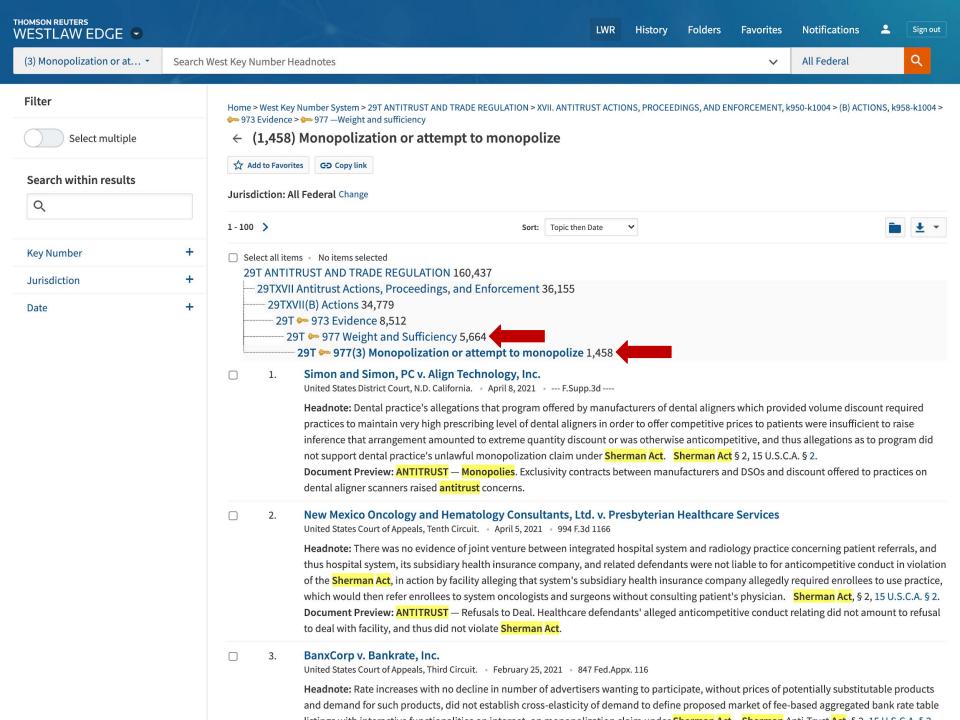
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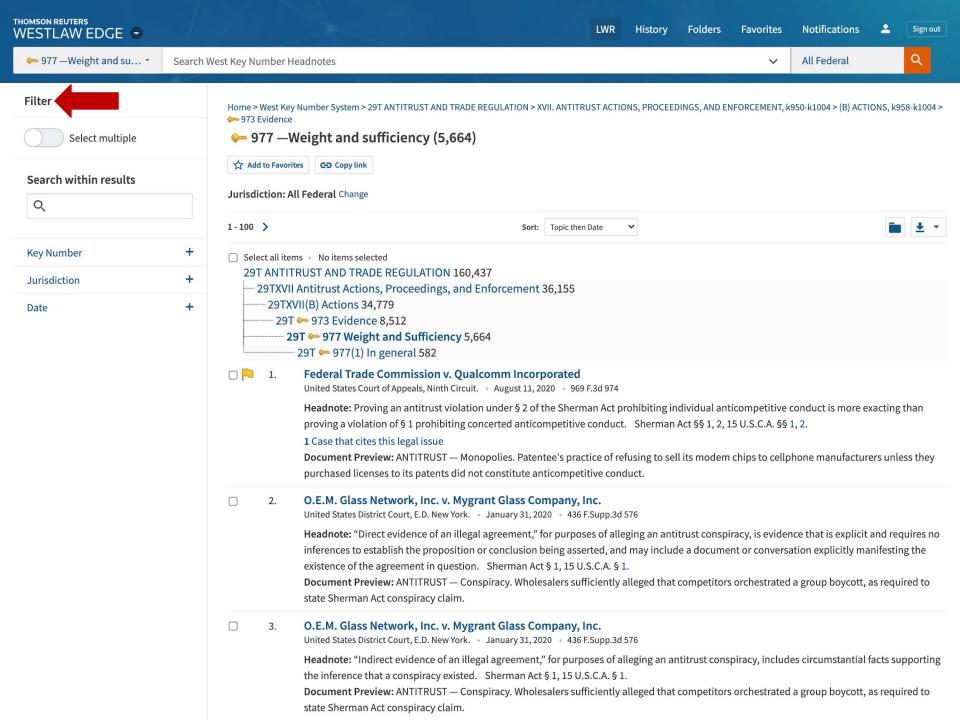
In re Lorazepam & Clorazepate Antitrust Litigation

United States District Court, District of Columbia. December 20, 2006 467 F.Supp.2d 74

Headnote: In order to establish monopolization claim under Illinois, Massachusetts, and Minnesota antitrust laws, plaintiffs must show by

Document Preview: ANTITRUST - Monopolies. Allegations of abuse of private standard-setting process stated claim under antitrust law.







Paroadcom Corp. v. Qualcomm Inc.

Document

Negative Treatment

History

Citing References ▼

Table of Authorities Powered by KeyCite

Original Image of 501 F.3d 297 (PDF)

501 F.3d 297 United States Court of Appeals, Third Circuit.

BROADCOM CORPORATION, Appellant QUALCOMM INCORPORATED.

No. 06-4292. Argued: June 28, 2007. Filed: Sept. 4, 2007.

Synopsis

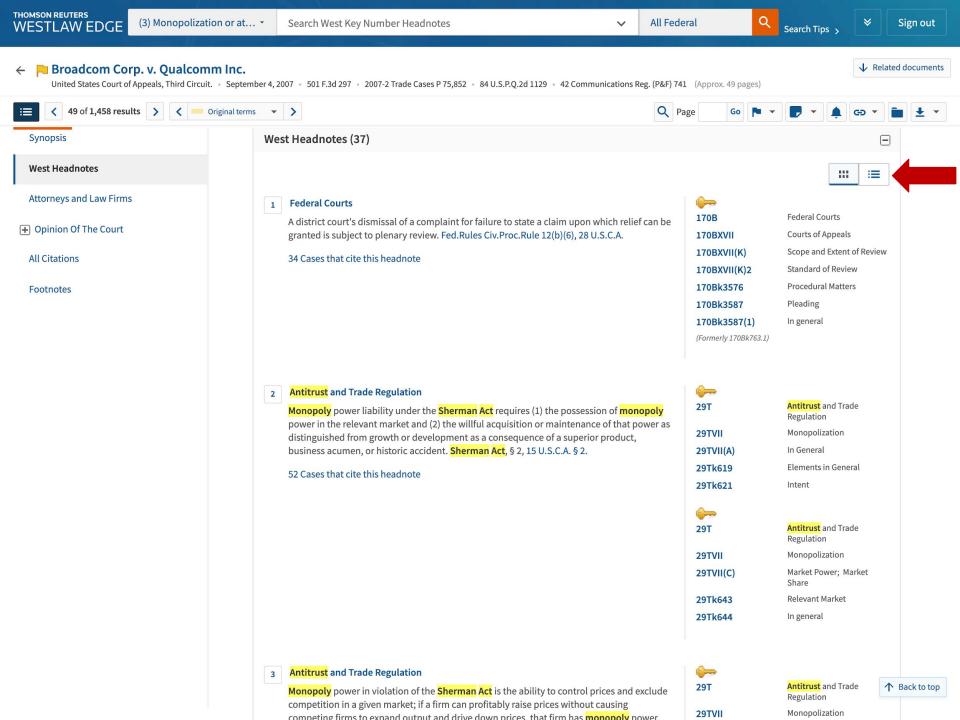
Background: Participant in cellular telephone market brought action against competitor making claims under Sherman Act and Clayton Act, state law, and commonlaw. The United States District Court for the District of New Jersey, Mary Little Cooper, J., Pa 2006 WL 2528545, dismissed action. Participant appealed.

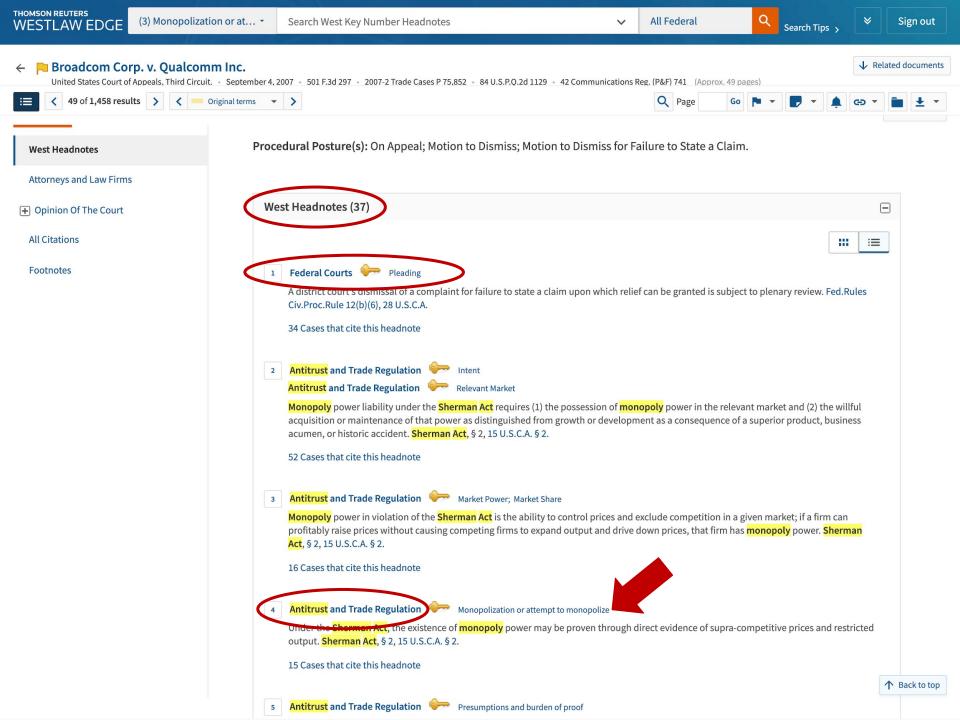
Holdings: The Court of Appeals, Barry, Circuit Judge, held that:

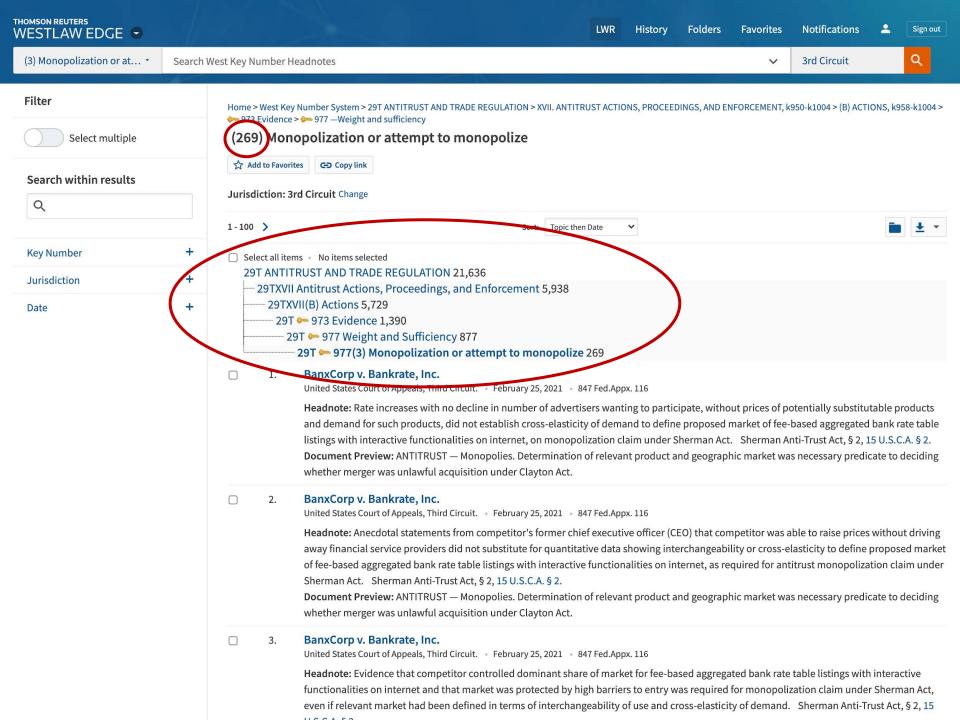
- 1 participant stated **monopoly** power claim;
- 2 participant adequately alleged that competitor possessed monopoly power in relevant market;
- 3 participant adequately alleged that competitor obtained and maintained its market power willfully;
- 4 participant adequately stated on its claim of attempted monopolization that competitor engaged in predatory or anticompetitive conduct;
- 5 participant adequately alleged competitor's specific intent to monopolize;
- 6 participant adequately stated that there was dangerous probability of competitor obtaining monopoly power;
- 7 participant lacked standing to assert monopoly maintenance claim; and
- 8 hypothetical anticompetitive conduct, speculative monopoly power, and remote injuries did not merit extreme remedy of divestiture.

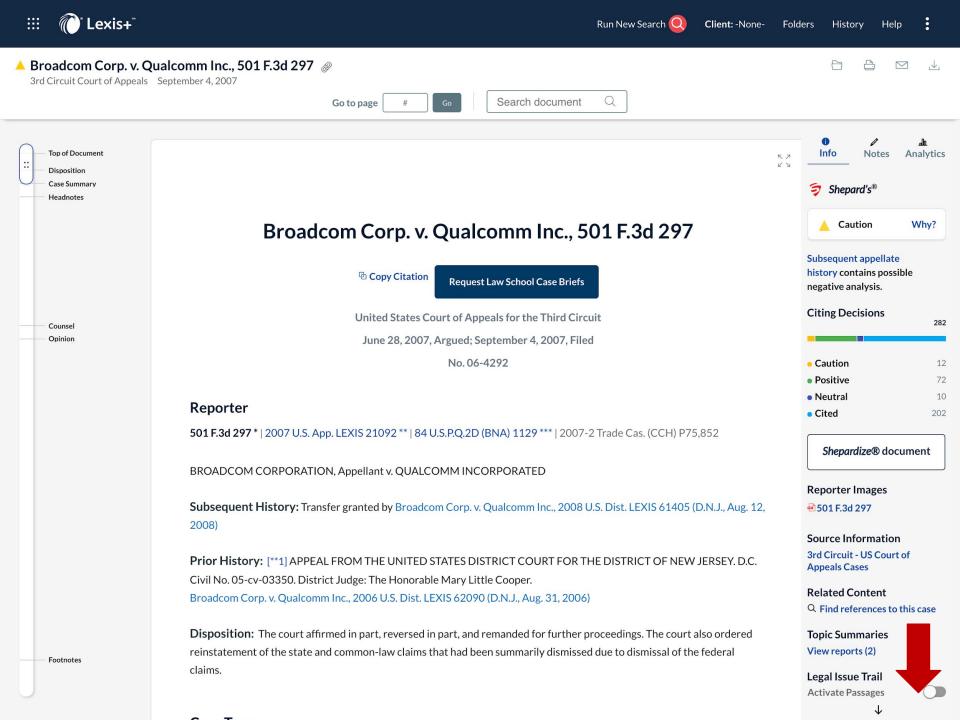
Affirmed in part, reversed in part, and remanded.

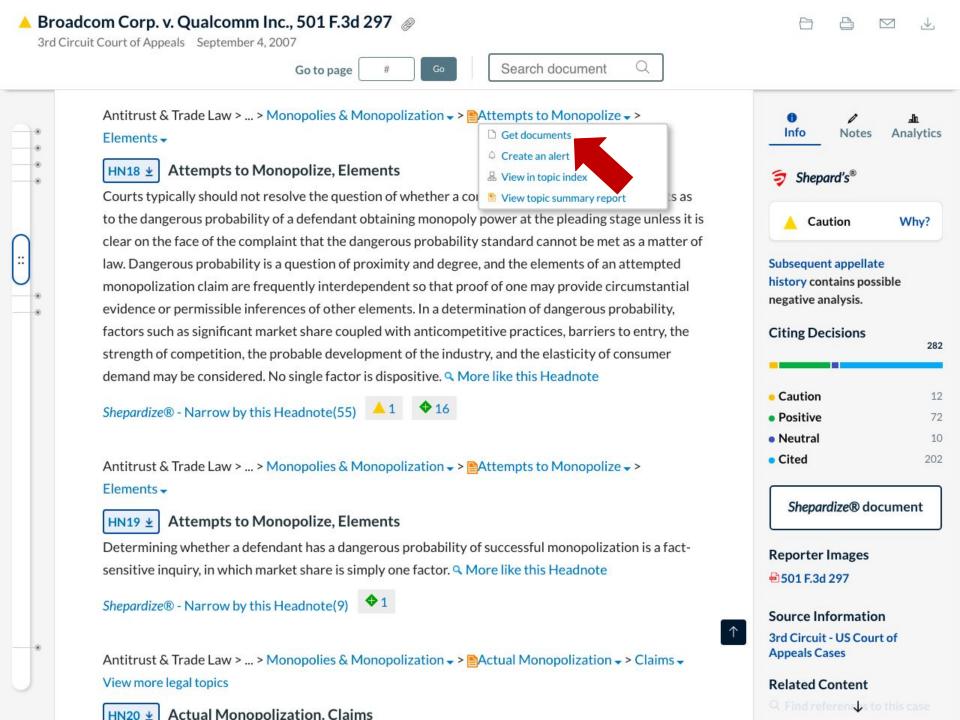


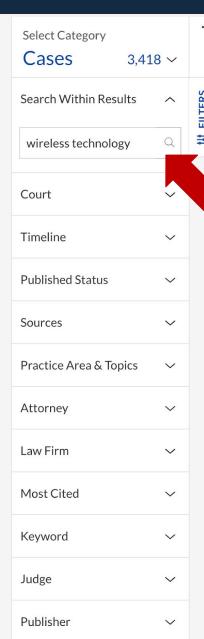














Topic Results: Attempts to Monopolize \bigcirc :





Answers

The offense of attempt to monopolize, § 2 of the Sherman Act, is composed of the following elements: 1) specific intent to monopolize; 2) anti-competitive conduct; and 3) a dangerous probability of success. While the completed offense of monopolization under § 2 demands only a general intent to do the act, for no monopolist monopolizes unconscious of what he is doing, a specific intent to destroy competition or build a monopoly is essential to guilt for the mere attempt now charged.

Action Publs. v. Panax Corp.

United States District Court, Michigan Western | Nov 30, 1984 | 1984 U.S. Dist. LEXIS 24846

Section 2 of the Sherman Act prohibits monopolization, attempts to monopolize, and conspiracy to monopolize. In United States v. Grinnell Corp., 384 U.S. 563, 86 S. Ct. 1698, 1704, 16 L. Ed. 2d 778 (1966), the Supreme Court offered what has become the standard definition of an illegal monopoly: The offense of monopoly under § 2 of the Sherman Act has two elements: (1) the possession of monopoly power in the relevant market and (2) the willful acquisition or maintenance of that power as distinguished from growth or development as a consequence of a superior product, business acumen, or historic accident. Thus, the threshold issue is whether the Defendant has monopoly, or market, power.



Servicetrends v. Siemens Medical Sys.

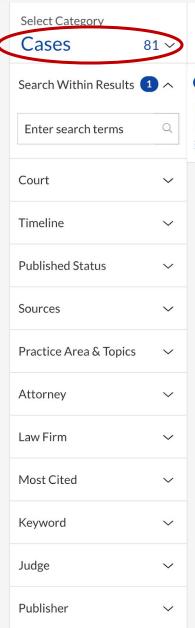
United States District Court, Georgia Northern | Mar 21, 1994 | 870 F. Supp. 1042

A plaintiff claiming that a defendant violated § 2 of the Sherman Antitrust Act, codified at 15 U.S.C.S. § 2, prohibiting attempts to monopolize must prove (1) specific intent to achieve monopoly power, (2) predatory or anticompetitive conduct manifesting intent to monopolize, and (3) dangerous probability that the attempt to monopolize will be successful.



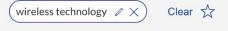
Panache Broad, v. Richardson Elecs.

United States District Court, Illinois Northern | Aug 28, 1992 | 1992 U.S. Dist. LEXIS 13069









Relevance ~

Answers

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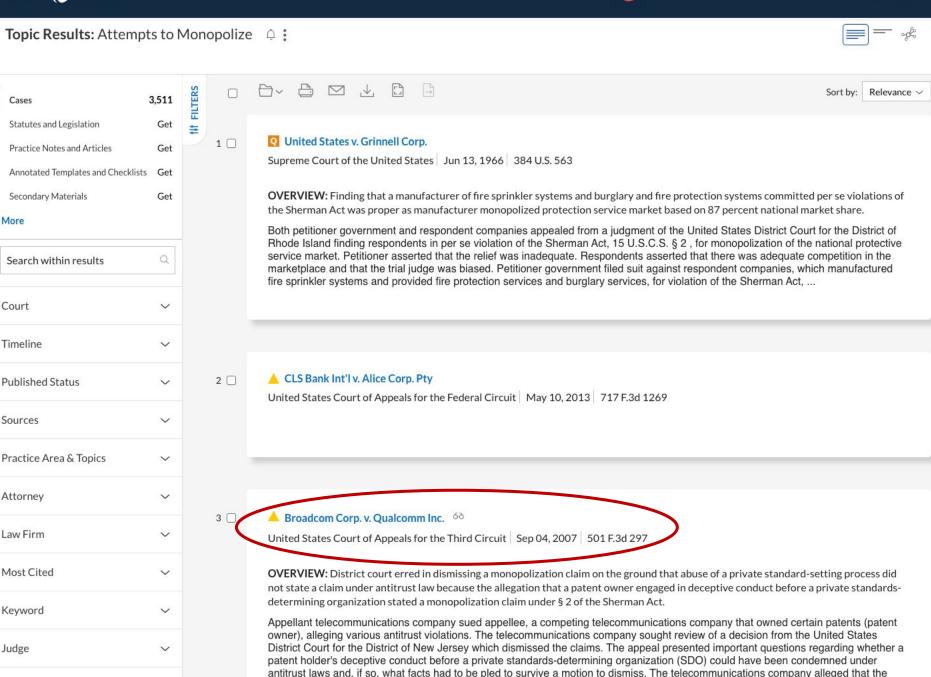


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