

Antitrust & Competition Life Sciences Year in Review 2023



Despite increasingly aggressive rhetoric from the agencies, 2022 was largely characterized as “business as usual” in the antitrust world. In contrast, 2023 featured a significant step up in enforcement activity, including multiple challenged transactions and lengthy investigations in the life sciences space. As notable, many of these enforcement activities involved more “novel” theories of harm — such as bundling, potential competition, and harm to research, development, and innovation — displaying a willingness by the Federal Trade Commission (FTC) to put its rhetoric into action. At the same time, the novel theories pursued by both the FTC and Department of Justice (DOJ) have generally (though not uniformly) been met by skepticism in federal court.

Antitrust + Competition lawyers [Arman Oruc](#), [Andrew Lacy](#), [Elliot Silver](#), and [Charlie Stewart](#) discuss transaction developments and predictions in the [**Antitrust & Competition Life Sciences Year in Review 2023**](#).