

Two-Sided Market Analysis Following Amex and Its Application in the SABRE Case

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As the use of two-sided platforms and economic intermediaries has grown, antitrust practitioners have been faced with increasingly complex legal questions about how to allocate evidentiary burdens at trial.

The Second Circuit's *United States v. American Express (Amex)* case provided a legal framework for analyzing two-sided markets and the use of non-discrimination provisions (NDPs), but lower courts are only beginning to apply this framework in other contexts.

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