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BLOGS
Antitrust

New York Federal Court Rejects Claims Based on Single-Brand Market

A federal district court in New York dismissed a value-added reseller's antitrust claims against its competitor based on its failure to properly define a relevant market. *Techreserves Inc. v. Delta Controls, Inc.*, 2014 U.S. Dist. LEXIS 47080 (S.D.N.Y. Mar. 31, 2014). Techreserves operates as a reseller in the building management systems sales, installation, and maintenance markets, in which Delta is a manufacturer. Techreserves claimed that its competitors, including defendant IBC, and Delta excluded other value-added resellers from selling, installing, and servicing Delta building automation and control software specified products.

Delta and IBC made a joint motion to dismiss Techreserves' complaint for failure to state a claim, arguing that Techreserves failed to plead the requisite geographic and product markets. The court granted the motion and dismissed Techreserves' antitrust claim based on its failure to plead a plausible relevant product market. The court noted that Techreserves attempted to describe the alleged market in various ways, but, in essence, it claimed that it was excluded only from selling a single brand of product, Delta. "It is well-established that a non-unique single-brand product, like Delta's, does not a market make," the court stated.

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