



Google Beware of Antitrust Nominee

From 1994 to 1997, Varney was a member of the Federal Trade Commission (FTC) under the Clinton administration. Following her term with the FTC, Varney was instrumental in pressing Justice officials to sue Microsoft for being a monopoly. Varney was then an attorney for the law firm of Hogan & Hartson, the firm that represented Netscape. At the time, Netscape was the primary competitor to Microsoft in the lucrative and important web browser market. In 1998, Microsoft was dragged into court, in part over Varney's anti-trust agitations. The effort to break up Microsoft, the Redmond, Washington, software giant, was not defeated until 2004.

Now, Varney is looking for another target. "For me, Microsoft is so last century. They are not the problem," she now says. Instead, she adds, the economy will "continually see a problem potentially with Google" because it already "has acquired a monopoly in Internet online advertising."

Varney believes other companies will start complaining about Google's perceived market dominance, and about perceived or alleged incompatibilities with Google software and services. That's simply not the case, says Google spokesman Adam Kovacevich. Google's competition "is literally one click away." Nothing is stopping dissatisfied Google customers "from switching to another search engine." He explains that there will be plenty of competition in this area of computing for many years. Indeed, the search engine market is extremely competitive, and other search engine companies are always looking for a way to knock Google from the top.

Recently, Varney functioned as personnel counsel to Obama's transition team. According to White House Spokesman Ben LaBolt, the reason for Obama's nomination of Varney is "to vigorously enforce the law" and "[the President] is confident that she can do so in a fact-specific and even handed way with every matter she will face." For her part, Varney has explained that she will be diligent in enforcing antitrust laws in order to deter those companies that seek too much power and domination over industry.

Varney, who played a part in the government's destructive attack on one of the world's most important software companies, now is poised to play a similar or even greater role in a similar antitrust attack on yet another software innovator in the private sector. Look out Google.

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