An Overview of Vertical Restraint Considerations Under New York Law Post-Leegin

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New York State Bar Association
Antitrust Section
Vertical Restraints Committee
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Recommended Reading

Statutes

- N.Y. Gen Bus. Law § 340: Contracts or Agreements for Monopoly or in Restraint of Trade Illegal and Void

- N.Y. Gen Bus. Law § 369-a: Pricing-fixing Prohibited
  - Pricing fixing prohibited. Any contract provision that purports to restrain a vendee of a commodity from reselling such commodity at less than the price stipulated by the vendor or producer shall not be enforceable or actionable at law.
Recommended Reading Cases

- Continental Television v. GTE Sylvania, 433 U.S. 36 (1977)
- People v. Tempur-Pedic Intern., Inc., 95 A.D.3d 539 (1st Dep’t 2012)
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Secondary Sources


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