
Hughes Hubbard & Reed

Court Issues Remedies Ruling in United States v. Google Search Case

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Sept. 3, 2025 – A significant milestone was reached yesterday in the Justice Department’s antitrust litigation against Google regarding its internet search business. U.S. District Judge Amit P. Mehta issued a 230-page ruling on remedies, following his prior finding that Google unlawfully maintained a monopoly in certain internet search markets through exclusionary conduct in violation of Section 2 of the Sherman Act. While the court avoided some of the most dramatic remedies requested by the government, the ruling will require major operational shifts for Google and present new strategic opportunities for competitors.

Summary of key rulings

- **No forced divestitures.** The court denied the government’s request to force Google to sell or spin off its popular Chrome browser and Android operating system. Mehta concluded that the government’s proposed divestitures went beyond the scope of his liability ruling, which was primarily focused on search distribution agreements.
- **Data sharing with rivals.** In a partial victory for the government and competitors, the court ordered Google to share certain search data with “qualified competitors.” While the specific scope of the shared data has yet to be finalized, it will include portions of Google’s search index and user interaction data, though not its proprietary ads data. The data must be shared at Google’s “marginal cost.”
- **Restriction on exclusivity agreements.** The court did not ban Google’s payments to partners such as Apple to set Google as the default search engine, but it did prohibit exclusive search distribution deals. This ruling enables a variety of companies, including browser providers and cellphone and laptop manufacturers, to feature other search engines and gives them greater leverage in negotiations with Google.
- **AI implications.** The judge noted the rapid advancement of AI as a consideration, stating that the fast-changing market made sweeping remedies such as a breakup difficult to justify. This suggests that the court believes AI could disrupt the search market and introduce new competition without structural remedies.
- **Appeal is imminent.** Following the remedy ruling, Google is expected to appeal Mehta’s underlying finding of monopolization. The DOJ may appeal the scope of the remedies. This process could take years and means the ordered remedies may not be implemented immediately pending a motion to stay the remedies during any appeal.

Remedy framework consistent with bipartisan amicus brief

- Hughes Hubbard senior counsel William Kolasky was one of 11 former senior antitrust officials from nine Republican and Democratic administrations who filed a Brief of Bipartisan Antitrust Enforcers as Amicus Curiae in Support of Neither Party in this litigation.
- Their brief argued that divestiture is a remedy that should be “imposed only with great caution” and required two related showings. First, that there was “a significant causal connection” between the assets sought to be divested and Google’s maintenance of its monopoly power, and second, that the divestiture of those assets was both reasonable and necessary to remedy the competitive harm proven in this case.
- Applying this framework, Mehta concluded that “the complete divestiture of Chrome is a poor fit for this case” both because the DOJ had failed to show a strong enough “causal connection” between Chrome and the competitive harm it had proven and it had not shown a divestiture of Chrome was necessary because “less severe remedies likely would prove inadequate to remedy the competitive harm.”

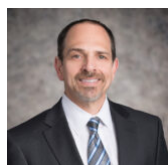
Implications for market participants

- **For technology companies and competitors:** This ruling creates new avenues for competition. The ordered data sharing, even if limited, could help rivals improve their own search algorithms. The ban on exclusivity deals frees up distribution channels for other search engines and could make devices such as iPhones more open to competing search products. However, the denial of forced divestitures means Google remains a dominant, integrated player.
- **For advertisers:** Mehta’s decision explicitly noted that the ordered data sharing will not apply to Google’s ads data. The impact on the ad market is less direct from this ruling, though the separate AdTech case against Google could result in further changes.
- **For distribution partners:** Partners such as Apple and Samsung will have more negotiating power and flexibility regarding default search settings on their devices, though the ruling does not prohibit payment for default status.
- **For the broader antitrust landscape:** While not a “breakup,” the ruling represents the most significant U.S. antitrust remedy imposed on a tech giant in a quarter century, since the browser case against Microsoft. It signals that courts are willing to impose meaningful behavioral remedies on monopolists but may be cautious about imposing structural changes in dynamic and fast-moving industries.

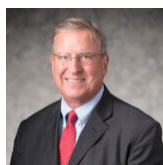
Next Steps

The parties have been ordered to propose a final judgment incorporating the court’s remedies by Sept. 10. Hughes Hubbard will continue to monitor the finalization of the judgment as well as the anticipated appeals. Our firm’s antitrust team is available to discuss how these remedies might affect your specific business and to help you navigate new competitive dynamics in the search ecosystem.

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