

# Fighting The Great War: How Live Nation's Market Power changed the Ticketing Landscape

By: Meghan L. Mitchell

## I. Introduction

At the end of 2022, Taylor Swift announced that she was embarking on a new world tour called “The Eras Tour,” ending a five-year hiatus from public performances.<sup>1</sup> The announcement of the fifty-two North American show dates was accompanied by an explanation of how to purchase tickets: fans could sign up for Ticketmaster’s Verified Fan program, CapitalOne customers could use their credit card in the company’s dedicated presale, or people could test their luck in the general sale.<sup>2</sup> The goal in spacing out the ticketing windows was to increase the chance that fans were able to purchase tickets; however, like all best laid plans, no aspect of the ticketing process went smoothly. Over three million people signed up for the Verified Fan presale, yet only around 1.5 million were “invited” to purchase tickets early.<sup>3</sup> When the presale started, the invited fans were met with long wait times, website crashes, and disappointment. Ticketmaster announced that their website received over 3.5 billion system requests, which contributed to the overall fiasco, and the company canceled the general sale due to “insufficient remaining ticket inventory,” leaving millions of fans heartbroken and at the mercy of resellers.<sup>4</sup>

Ticketmaster’s bungling of one of the most important sales was met with swift backlash on social media, with fans dubbing this disaster “The Great War” in reference to a song off of

---

<sup>1</sup> Ben Sisario, “Taylor Swift to Bring Eras Tour to Stadiums Next Year,” *THE NEW YORK TIMES*, November 1, 2022, <https://www.nytimes.com/2022/11/01/arts/music/taylor-swift-eras-tour.html>.

<sup>2</sup> Chris Willman, “Taylor Swift Announces 2023 ‘Eras Tour’ of U.S. Stadiums,” *VARIETY*, November 1, 2022, <https://variety.com/2022/music/news/taylor-swift-announces-2023-tour-1235419454/>.

<sup>3</sup> Ben Sisario & Madison Malone Kircher, “Ticketmaster Cancels Sale of Taylor Swift Tickets After Snags,” *THE NEW YORK TIMES*, November 17, 2022, <https://www.nytimes.com/2022/11/17/arts/music/taylor-swift-tickets-ticketmaster.html>.

<sup>4</sup> Daniel Kreps, “Ticketmaster Adds to the Chaos, Cancels General On-Sale for Taylor Swift’s the Eras Tour”, *ROLLING STONE*, November 17, 2022, <https://www.rollingstone.com/music/music-news/ticketmaster-cancels-general-on-sale-taylor-swift-the-eras-tour-1234632678/>.

Swift’s new *Midnights* album.<sup>5</sup> Fans even filed class action lawsuits alleging that Ticketmaster and Live Nation “effectuated an anticompetitive scheme” regarding both primary and secondary ticket markets.<sup>6</sup> However, the public backlash was not the worst part for the company. President Joe Biden announced on Twitter that the Department of Justice would begin investigating Ticketmaster and its parent company Live Nation for antitrust violations, and lawmakers across the country demanded investigations and hearings into the company’s anticompetitive practices. In a Senate hearing on the topic, Senators on both sides of the aisle questioned Live Nation’s Chief Financial Officer, Joe Berchtold, and Senator Richard Blumenthal congratulated the company on a “stunning achievement”—uniting both Democrats and Republican lawmakers on a singular issue.<sup>7</sup>

Few issues have had bipartisan support over the last couple of decades, yet most people can agree that Ticketmaster’s current operation is horrible for consumers. However, this nightmare did not begin with *The Era’s Tour*, and it has more far-reaching implications than impeding fans from seeing their favorite artists.

## **II. Ticketmaster, Pearl Jam, and the First War: A Brief History into how we got here**

The rise of Ticketmaster’s power can be traced back to 1981, when Burton Kanter gained control of the company and tasked Fredric Rosen with operating the business.<sup>8</sup> Previously, the

---

<sup>5</sup> See e.g., Linda Xiao, “How I Survived the Great War (Buying Taylor Swift Tickets),” *Medium*, August 13, 2023, <https://medium.com/@linduckling/how-i-survived-the-great-war-buying-taylor-swift-tickets-aba8e53fa52>; Jane Stevenson, “Verified Sale for Swift’s First Two Toronto Shows Called ‘the Great War.’” *Toronto Sun*, August 09, 2023, <https://torontosun.com/news/local-news/verified-sale-for-swifts-first-two-toronto-shows-called-the-great-war>.

<sup>6</sup> See *Michelle Sterioff v. Live Nation Entertainment, Inc. et al.*, (C.D. Cal 2023).

<sup>7</sup> Rachel Treisman, “The Senate’s Ticketmaster Hearing Featured Plenty of Taylor Swift Puns and Protesters,” *NPR*, January 24, 2023, <https://www.npr.org/2023/01/24/1150942804/taylor-swift-ticketmaster-senate-hearing-live-nation>; Newsroom for Richard Blumenthal, *Blumenthal Presses Ticketmaster on Harms to Consumers, Artists & Venues at Senate Judiciary Committee Hearing*, RICHARD BLUMENTHAL: U.S. SENATOR FOR CONNECTICUT (2023), <https://www.blumenthal.senate.gov/newsroom/press/release/blumenthal-presses-ticketmaster-on-harms-to-consumers-artists-and-venues-at-senate-judiciary-committee-hearing> (last visited Apr 6, 2024).

<sup>8</sup> Krista Brown & Maureen Tkacik, “Ticketmaster’s Dark History,” *THE AMERICAN PROSPECT*, December 21, 2022, <https://prospect.org/power/ticketmasters-dark-history/>.

rock and roll concert business was controlled by a number of local promoters in various cities; however, Rosen broke into the market by promising the promoters a deal they could not refuse: broker an exclusive contract between Ticketmaster and the local venues, and the company would provide a kickback of up to five million dollars on the service charge brought in.<sup>9</sup> With their ability to print tickets and control inventory instantaneously, plus the promise of potentially millions of dollars, venues were easily wooed by Ticketmaster and the promoters, and the development of these exclusive arrangements gave Ticketmaster the power to close out the competition and eventually, buy out competitors completely.<sup>10</sup>

Pearl Jam was the first group to decry the practices of Ticketmaster after the company charged exorbitant fees on the group's \$20 ticket prices, and the band filed an antitrust complaint with the Department of Justice.<sup>11</sup> Ticketmaster's exclusive contracts with venues left bands like Pearl Jam in a tough position.<sup>12</sup> They could either use Ticketmaster or they would have to find other places to play. In 1995, the band tried to host a "Ticketmaster-free tour," by partnering with a new company called ETM Entertainment Network to play in unique venues not controlled by Ticketmaster; however, the now-ticketing giant "plant[ed]" news stories to undermine the tour.<sup>13</sup> Ultimately, Pearl Jam canceled most of their 1995 tour as a result of bad luck and these planted stories.<sup>14</sup> After the defeat of a bill that would have required ticket fees to be disclosed, the Department of Justice unceremoniously ended their investigation, inadvertently giving Ticketmaster the green light to keep operating in the same manner.<sup>15</sup>

---

<sup>9</sup> Ibid.

<sup>10</sup> Ibid.

<sup>11</sup> Eric Boehlert, "Pearl Jam: Taking on Ticketmaster," *ROLLING STONE*, December 28, 1995, <https://www.rollingstone.com/music/music-news/pearl-jam-taking-on-ticketmaster-67440/>.

<sup>12</sup> Ibid.

<sup>13</sup> Brown and Tkacik, "Ticketmaster's Dark History."

<sup>14</sup> Ibid.

<sup>15</sup> Eric Boehlert, "Pearl Jam: Taking on Ticketmaster."

Ticketmaster’s true power did not come from stifling artists or winning over Congress. In fact, it came from SFX, now known as Live Nation, a company that had absorbed many of the promoters across the country and was responsible for about a quarter of all tickets sold by Ticketmaster.<sup>16</sup> SFX had threatened to start their own ticketing business to provide a new competitor to Ticketmaster; however, the companies brokered a fee-splitting agreement that required SFX to “use its reasonable best efforts” to employ Ticketmaster in all of their venues, furthering the ticketing cartel and increasing the exclusive contracts across the nation.<sup>17</sup> The two companies became basically inseparable, yet they still managed to beat regulators and investigators at every turn.<sup>18</sup> Further, their power allowed them to exert influence not just on ticket pricing, but also on ticket demand, as Live Nation would retaliate against artists, such as Britney Spears and the then-Dixie Chicks (now Chicks), for either using outside promoters or taking political stances the company viewed as unfavorable.<sup>19</sup> Absolute power corrupts absolutely, and it seemed like both Ticketmaster and Live Nation were becoming the sole controllers of all things live-music and entertainment.

### **III. One Big Happy(?) Family: The Merger of Ticketmaster and Live Nation**

In 2009, Ticketmaster and Live Nation announced a merger that would allow the combined company to improve access, transparency, and ticket pricing options as well as invest in better ticketing technology, and increase event attendance.<sup>20</sup> Before the official announcement of the merger, major American artists decried the potential for a singular Live Nation/Ticketmaster operation, with Bruce Springsteen calling it the “one thing that would make

---

<sup>16</sup> Brown and Tkacik, “Ticketmaster’s Dark History.”

<sup>17</sup> Ibid.

<sup>18</sup> Ibid.

<sup>19</sup> Ibid.

<sup>20</sup> “Live Nation and Ticketmaster Entertainment to Combine in Merger of Equals to Create World’s Premier Live Entertainment Company,” LIVE NATION ENTERTAINMENT, accessed April 7, 2024, <https://www.livenationentertainment.com/2009/02/live-nation-and-ticketmaster-entertainment-to-combine-in-merger-of-equals-to-create-worlds-premier-live-entertainment-company/>.

the current ticket[ing] situation even worse for the fan[s].”<sup>21</sup> Part of the artist’s ire stemmed from the fact that Ticketmaster was re-directing fans to their secondary ticketing website TicketsNow, which made fans purchase marked up resale tickets when there were still face-value seats available.<sup>22</sup> Ticketmaster was later sued by the Federal Trade Commission (FTC) for violating Section 5(a) of the FTC Act, which prohibits “unfair or deceptive acts or practices in or affecting commerce.”<sup>23</sup> However, the charges regarding their deceptive ticket bait and switch were eventually settled.<sup>24</sup> After the announcement of the merger, the Senate Judiciary Committee held a hearing to determine what this merger would mean for consumers, and it was disclosed that Live Nation owned or operated over 475 music venues and Ticketmaster controlled seventy to eighty percent of the ticketing industry.<sup>25</sup>

In 2010, the Department of Justice approved the merger under the terms that Ticketmaster and Live Nation would agree to a consent decree, invoking structural and behavioral remedies.<sup>26</sup> The structural remedies called for the companies to divest rather irrelevant assets in hopes of increasing competition in the ticketing landscape; however, as time shows, this goal was not met.<sup>27</sup> The behavioral remedies required that Ticketmaster/Live Nation would not retaliate

---

<sup>21</sup> Daniel Kreps, “Bruce Springsteen “Furious” At Ticketmaster, Rails Against Live Nation Merger,” *ROLLING STONE*, February 4, 2009, <https://www.rollingstone.com/music/music-news/bruce-springsteen-furious-at-ticketmaster-rails-against-live-nation-merger-97368/>.

<sup>22</sup> *Ibid.*

<sup>23</sup> Complaint at 13, *FTC v. Ticketmaster LLC*, No: 1:10-cv-01093 (N.D. Il. 2010).

<sup>24</sup> *FTC v. Ticketmaster LLC*, No: 1:10-cv-01093 (N.D. Il. 2010).

<sup>25</sup> David Balto, “The Ticketmaster-Live Nation Merger: What Does It Mean for Consumers and the Future of the Concert Business?” *Center for American Progress Action*, February 24, 2009, <https://www.americanprogressaction.org/article/the-ticketmaster-live-nation-merger-what-does-it-mean-for-consumers-and-the-future-of-the-concert-business/>; *The Ticketmaster/Live Nation Merger: What Does It Mean for Consumers and the Future of the Concert Business?: Hearings Before the Subcommittee on Antitrust, Competition Policy and Consumer Rights of the Committee on the Judiciary*, 111th Cong. (2009).

<sup>26</sup> Christine Varney, “The TicketMaster/Live Nation Merger Review and Consent Decree in Perspective” (Remarks as Prepared for the South by Southwest, March 18, 2010), <https://www.justice.gov/atr/speech/ticketmasterlive-nation-merger-review-and-consent-decree-perspective>.

<sup>27</sup> *Ibid.*

against venues, artists, or promoters for using other services and prohibited the company from creating a mandatory bundle of their services.<sup>28</sup>

For all the time that it took to generate the consent decree, the settlement was relatively powerless, as Live Nation would immediately violate the decree by cutting off six smaller venues that signed agreements with a miniscule competitor.<sup>29</sup> Further, multiple venues across the country would accuse the company of using its market power to strong-arm venues into exclusive agreements to use Ticketmaster.<sup>30</sup> In 2020, the Department of Justice took the relatively rare step of modifying the consent decree and expanding it to 2025.<sup>31</sup> The consent decree now explicitly states that a threat to withhold events or withholding them because a venue chose a ticketer other than Ticketmaster was a direct violation of the settlement and Live Nation would be subject to an automatic penalty of one million dollars for every violation of the order.<sup>32</sup>

#### **IV. Now we've got problems (and I don't think we can solve them): Bad Blood in Ticketing**

Despite the beefed-up consent decree, the debacle surrounding the Eras Tour shows that Ticketmaster and Live Nation's current operation is hurting consumers. Their dynamic pricing model increases the costs that consumers pay on the primary market, which subsequently increases the costs on the secondary resale market. Ticketmaster notes that artists can opt out of dynamic pricing, but given their retributive behavior, the subsequent question is: but at what cost? Surviving as a musician now mostly revolves around generating successful tours given the

---

<sup>28</sup> Ibid.

<sup>29</sup> Brown and Tkacik, "Ticketmaster's Dark History."

<sup>30</sup> Ben Sisario & Cecilia Kang, "Citing Violations, U.S. to Toughen Live Nation Accord on Ticketing," *THE NEW YORK TIMES*, December 19, 2019, <https://www.nytimes.com/2019/12/19/arts/music/live-nation-ticketmaster-settlement-justice-department.html>.

<sup>31</sup> *United States v. Ticketmaster Entertainment Inc. and Live Nation Entertainment, Inc.*, (D.D.C. 2020), <https://www.justice.gov/atr/case-document/file/1233416/dl?inline>.

<sup>32</sup> Ibid.

historic decrease in album sales due to streaming.<sup>33</sup> Therefore, artists have to work within the bounds set by Ticketmaster and Live Nation. Artists like Taylor Swift and Bruce Springsteen with international stardom, can speak out against Ticketmaster/Live Nation's deceptive business practices. But smaller artists who rely on touring to survive must remain quiet and play their sets.

Understanding the economics behind Ticketmaster/Live Nation's business model is central to understanding how legal reforms can be implemented to limit the effects of Ticketmaster and Live Nation's business practices. Given the size of both companies when they merged, it is no surprise that this merger involved both a horizontal merger, a consolidation of businesses operating in the same space providing a similar good (i.e. tickets), and a vertical merger, a consolidation of businesses operating along the same supply chain (i.e. ticketing and concert promotion).<sup>34</sup> Before the merger, Live Nation provided concert promotion, venue operation, and artist management, with Ticketmaster providing ticketing.<sup>35</sup> After the merger, Live Nation and Ticketmaster provided all of these services.<sup>36</sup> Vertical mergers tend to be analyzed less skeptically because they can capitalize on economies of scale and produce products more efficiently, whereas horizontal mergers, by definition, tend to decrease competition in the marketplace, resulting in increased scrutiny from regulators.

While the vertical merger may have created some economies of scale in the ticketing and entertainment industry, it also created perverse incentives, as Live Nation now has greater incentive to increase both ticketing fees charged to consumers and the portion of ticket sales the company keeps, harming both consumers and artists. Furthermore, Ticketmaster is replete with

---

<sup>33</sup> Brown and Tkacik, "Ticketmaster's Dark History."

<sup>34</sup> Varney, "The TicketMaster/Live Nation Merger Review and Consent Decree in Perspective."

<sup>35</sup> KATHERINE VAN DYCK & LEE HEPNER, "The Case Against Live Nation-Ticketmaster," *American Economic Liberties Project*, January, 2024, <https://www.economicliberties.us/wp-content/uploads/2024/01/20240104-AELP-Livenation-Brief-FINAL.pdf>; Varney, "The TicketMaster/Live Nation Merger Review and Consent Decree in Perspective."

<sup>36</sup> VAN DYCK AND HEPNER, "The Case Against Live Nation-Ticketmaster."

consumer data, which attracts advertisers and high-profile artists, while continuing to harm consumers and smaller artists.<sup>37</sup> By merging with Ticketmaster, Live Nation was essentially able to overcome any need for network effects to get people to use their ticketing platform. Firstly, since people already used Ticketmaster to purchase tickets, it had positive network effects. Secondly, Live Nation could force people to use Ticketmaster to attend high-profile shows at their venues through exclusive tying agreements. At the end of the day, this merger was great for the companies and their executives; however, it leaves much to be desired for the normal consumer and artist.

## **V. You're (Not) on Your Own, Kid: Antitrust Law to the Rescue**

As the last twenty-four years have shown, simple behavioral remedies and independent monitoring is ineffective when the company represents a significant market share and has no incentives to follow the rules. This is where antitrust law comes into play, and there are three main provisions that could be used to take down the current Live Nation/Ticketmaster operation: Sherman Act Section 1, Sherman Act Section 2, and the Clayton Act.

The Sherman Antitrust Act was the first federal antitrust law, and it has formed the basis of antitrust law in the United States.<sup>38</sup> Effectively, Section 1 made it per se illegal for firms to collude to restrain trade, fix prices, or otherwise suppress competition in the market.<sup>39</sup> Section 2 made monopolization illegal, which can be further explained by a rule of reason interpretation.<sup>40</sup> According to the rule of reason interpretation of Section 2, the firm must have both market power in the relevant market, and the firm must take actions that either have an unduly anticompetitive intent or purpose, or an unduly anticompetitive nature or effect.<sup>41</sup> Being a

---

<sup>37</sup> Ibid.

<sup>38</sup> 15 U.S.C.

<sup>39</sup> Ibid. at § 1

<sup>40</sup> Ibid. at § 2; See *Standard Oil Co. of N.J. v. United States*, 221 U.S. 1, 69 (1911).

<sup>41</sup> See *Standard Oil Co. of N.J. v. United States*, 221 U.S. at 69; *United States v. American Tobacco Co.*, 221 U.S. 106, 185-88 (1911).



monopoly is not illegal per se. However, the definition of monopolization under the rule of reason interpretation can be distilled into four words: Big Businesses Behaving Badly. The Clayton Act was an attempt to fix the problems with the Sherman Act. Among other things, Section 7 of the Clayton Act forbids exclusive anticompetitive tying of contracts and exclusive dealing arrangements.<sup>42</sup>

Both the American Antitrust Institute (AAI) and the American Economic Liberties Project (AELP) note that breaking-up Ticketmaster and Live Nation requires going beyond the bounds of the current consent decree. Both organizations support structural remedies or breaking-up the companies in various forms.<sup>43</sup>

The goal of the consent decree, “to assure that competition [was] not substantially lessened,”<sup>44</sup> has not been met, and so it is time to “prescribe other, and, if necessary, more definitive, means to achieve the result.”<sup>45</sup> This could mean further modifying the consent decree by requiring divestment of Ticketmaster and other facets of the Live Nation conglomerate. The AELP explains that divestiture is the preferred remedy when Section 7 of the Clayton is implicated, and there are numerous examples of mergers being either unwound or significant divestitures being undertaken even after a decision to not challenge the official merger.<sup>46</sup> The AAI explains that forcing Live Nation to completely divest Ticketmaster would disincentivize them from punishing independent venues for using other ticketing platforms and could increase the ease of entry into the ticketing industry, thereby increasing competition as a whole.<sup>47</sup> Further,

---

<sup>42</sup> 15 U.S.C. §§ 12-27

<sup>43</sup> VAN DYCK AND HEPNER, “The Case Against Live Nation-Ticketmaster,” 14-18; “Busting the Live Nation-Ticketmaster Monopoly: What Would a Break-Up Remedy Look Like?” AMERICAN ANTITRUST INSTITUTE, July 11, 2023, 3-6, [https://www.antitrustinstitute.org/wp-content/uploads/2023/07/AAI\\_LN-TM-on-Breakup-Remedy\\_7.11.23.pdf](https://www.antitrustinstitute.org/wp-content/uploads/2023/07/AAI_LN-TM-on-Breakup-Remedy_7.11.23.pdf)

<sup>44</sup> *United States v. Ticketmaster Entertainment Inc. and Live Nation Entertainment, Inc.*, 2.

<sup>45</sup> *United States v. United Shoe Mach. Corp.*, 391 U.S. 244, 252 (1968).

<sup>46</sup> VAN DYCK AND HEPNER, “The Case Against Live Nation-Ticketmaster,” 16.

<sup>47</sup> AMERICAN ANTITRUST INSTITUTE, “Busting the Live Nation-Ticketmaster Monopoly,” 4-5.

breaking up Ticketmaster into smaller firms, à la breaking up AT&T and Bell Labs into “Baby Bells,” would decrease its monopolistic power over the market and give smaller firms a larger incentive and ability to compete.<sup>48</sup> Ticketmaster could be broken up either by location or through event type, and the increase in competition and the decrease in barriers to entry could help consumers, other firms, and artists alike. If divestiture is the route taken, then those involved need to ensure that Ticketmaster and Live Nation are effectively divested, since an ineffective attempt may decrease the total market power of the firm, but could push the market less into a monopoly and more into a market structure that is either collusive or follows a dominant firm price leadership theory, both of which do nothing to remedy the harms consumers, artists, and independent venues currently face.

The alternative would involve initiating antitrust lawsuits against Live Nation and Ticketmaster. As the AELP notes, both Section 1 and Section 2 of the Sherman Act are implicated because the anticompetitive conduct involves both independent and third-party agreements.<sup>49</sup> Further, the tying agreement that Live Nation forces on independent venues is likely also illegal given that they have used this agreement to reserve around 80% of the market share in the ticketing industry for Ticketmaster.<sup>50</sup>

If litigation is the path to take, the courts will likely invoke a structural remedy to break Live Nation and Ticketmaster up, hopefully into completely separate firms for each industry it tries to operate in. This remedy would require behavioral components as well, such as not allowing Live Nation and Ticketmaster to conspire in any way or to prohibit any form of mandated tying agreements between the venue and ticketing platforms. The downside of opting for litigation is that it may take years to effectuate the structural remedies, resulting in consumers

---

<sup>48</sup> *United States v. Am. Tel. and Tel. Co.*, 552 F. Supp. 131, 222-26 (1982).

<sup>49</sup> VAN DYCK AND HEPNER, “The Case Against Live Nation-Ticketmaster,” 17-18.

<sup>50</sup> *Ibid.*

not experiencing the benefits of this approach for a while. Further, there is no guarantee that a subsequent administration's Department of Justice would continue to fervently prosecute Live Nation and Ticketmaster. Since taking down Ticketmaster and Live Nation, or at least decreasing their market power, seems to have bipartisan support, this litigation may not be subject to partisan pressure like previous attempts to quell this monopoly were.<sup>51</sup>

Regardless of the route taken, it is clear that the bounds of the current consent decree must be surpassed, and any attempt to break-up or re-regulate this firm should be supplemented with strong legislation to protect consumers, artists, and the entertainment industry as a whole. While California SB829 does not require a venue to use multiple ticketing platforms, state legislators have proposed bills that would prohibit ticketing firms from entering into exclusive dealing arrangements with venues.<sup>52</sup> This policy is being tested in Los Angeles with Crypto.com Arena, which hosts the Clippers and the Lakers, and the venue uses both Ticketmaster and AXS to sell tickets.<sup>53</sup> While Ticketmaster's fees are still higher than AXS, AAI notes that they are substantially lower than other Ticketmaster fees across the country, demonstrating that inducing competition at some level can benefit consumers through lower costs.<sup>54</sup> Federal proposals have been introduced to protect the transferability of tickets and increase transparency surrounding ticket inventory and pricing, which protects consumers and the secondary market from primary market firm's influence.<sup>55</sup> Importantly, legislation needs to be drafted to protect consumers, artists, and independent venues from a large firm's market power to try and limit the possibility that our current scenario occurs again.

---

<sup>51</sup> Treisman, "Senate's Ticketmaster Hearing Featured Plenty of Taylor Swift Puns and Protesters."

<sup>52</sup> AMERICAN ANTITRUST INSTITUTE, "Busting the Live Nation-Ticketmaster Monopoly."

<sup>53</sup> Ibid.

<sup>54</sup> Ibid.

<sup>55</sup> Ibid., 6.

## **VI. Long Story Short: Ticketmaster and Live Nation Should Never Get Back Together (Like Ever)**

Two things can be true at the same time. The initial merger between Ticketmaster and Live Nation may have generated economies of scale and efficiencies in the market; however, any efficiencies generated have likely been nullified by the firm's anticompetitive acts towards consumers, artists, and other smaller firms. The past decade has shown that lighter corrective mechanisms are not effective ways to police behavior, especially when there exist no other firms in the market to help police such behavior. The fiasco regarding the Eras Tour has opened the gates for potential antitrust enforcement in a manner that has rarely been used throughout history but whose value has been demonstrated through numerous cases. Any action taken would require broad based political support, and for the first time in a while, a wide variety of Americans support the effort. Any attempt to stifle Ticketmaster and Live Nation requires both effective structural and behavioral remedies to reintroduce competition into the marketplace. At the end of the day, competition is good for the American economy, as it protects consumers from deceptive business practices and artists from being taken advantage of. Since their inception, Ticketmaster and Live Nation have been the anti-hero to millions of people looking to work or enjoy the entertainment industry. Now it is time for the Department of Justice to take matters into their own hands and tell them that they are never (ever) getting back together.