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Locke Lord QuickStudy: ?2021 HSR Threshold Announced by FTC?

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The FTC has announced the annual changes to the Hart-Scott-Rodino (HSR) Act filing thresholds. The changes will become effective as of March 4.

The new 2021 thresholds are slightly lower than the 2020 thresholds, and are as follows:

Size-of-parties thresholds: \$18.4M and \$184M (down from \$18.8M and \$188M in 2020)

Smaller size-of-transaction threshold (which requires size-of-parties thresholds to be met in order to trigger the filing requirement): \$92M (down from \$94M in 2020)

Larger size-of-transaction threshold (which triggers a filing requirement regardless of the size-of-parties): \$368M (down from \$376M in 2020)

The HSR filing fees remain unchanged (ranging from \$45,000 to \$280,000), although the fee required for a particular transaction will be determined based on these adjusted thresholds.

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