

Editor's Introduction to the 2026 edition

This is a complete guide to the Robinson-Patman Act, including helpful compliance suggestions, and illustrative compliance forms. Highlights include price discrimination, commercial bribery, functional discounts, advertising and promotional allowances, buyer liability, price deviation forms, cost justification, meeting competition, effect on competition, damages, and interstate commerce requirements.

Highlights to the 2026 edition include:

- Coverage of Robinson-Patman Act class actions, including *Alqosh Enterprises, Inc. v. PepsiCo, Inc.*, where the court found that alleged price-discrimination and promotional-allowance claims could not be certified as a class action because they required individualized proof of transactions, pricing, and competitive effects. The decision reinforces the long-standing view that Robinson-Patman Act claims are generally ill-suited for class treatment § 1:48.
- Coverage of Robinson-Patman Act price-discrimination claims, including *Mark Breiner DDS, LLC v. BTL Industries, Inc.*, where the court rejected a retailer's challenge to price differences resulting from a manufacturer's minimum-advertised-price (MAP) program because the retailer had voluntarily withdrawn from the program and lost eligibility for discounted pricing § 2:3.
- New caselaw on basic elements of price discrimination with two different purchasers, including *In re: Tecfidera Antitrust Litigation* § 2:10.