

“Reasonableness” Is in the Eye of the Beholder: Vague Contracts Clauses Invite Litigation

“Schick, the shaving product company, recently announced it was abandoning its proposed \$1.4 billion acquisition of rival startup Harry’s Razors. The announcement followed the U.S. Federal Trade Commission’s (FTC) threat to block the deal in federal court over antitrust concerns. Harry’s has reportedly threatened to sue Schick for failing to exercise ‘reasonable best efforts’ to get the deal through merger review. It is one of an increasing number of these ‘broken deal’ claims, which may be prevented by more specific antitrust provisions in the merger agreement,” discuss Barry J. Reingold, Jon B. Jacobs and Jeremy C. Keeney in Perkins Coie *News & Insights*.

Read the article.