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Supreme Court Rules FTC Cannot Obtain Monetary Relief Under Section 13(b)



On April 22, 2021, in a unanimous decision, the U.S. Supreme Court in *AMG Capital Management v. FTC* held that the authorization to seek a "permanent injunction" under Section 13(b) of the Federal Trade Commission Act does not permit the FTC to obtain equitable monetary relief such as restitution and disgorgement.

While the FTC may still seek monetary relief under Sections 5 and 19 of the Act, those provisions can be more difficult for the FTC to pursue. FTC Acting Chairwoman Rebecca Kelly Slaughter is already calling on Congress to "strengthen the FTC's powers" in light of the decision. [Click here to read the full Perkins Coie Update.](#)

Authors

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