

Claim update: purchasers of apps, digital content, or subscriptions within the UK version of the App Store are included in the claim up to 15 November 2024

This notice has been issued at the direction of the Competition Appeal Tribunal

In June 2022, the Tribunal authorised Dr Rachael Kent as the class representative to bring collective proceedings against Apple. Further information regarding the claim can be read [here](#).

The purpose of this notice is to explain a change in the scope of the class of persons on whose behalf the proceedings are brought by Dr Kent.

The Tribunal originally ordered that the class included all persons (including both consumers and businesses) who, at any point during the period between 1 October 2015 and the date of final judgment or earlier settlement of this claim, made for themselves and/or another person, one or more purchases of an app or digital content, services or subscriptions within an app (excluding Apple apps) from an iPhone or iPad device in the UK storefront of the App Store (“**Relevant Purchases**”).

Between June and September 2022, Dr Kent notified class members of the collective proceedings.

Following recent legal developments, earlier this year Dr Kent made an application to the Tribunal to amend the scope of the class to include further any class members who had made Relevant Purchases up to 8 August 2024, but who were not original class members at the date of the filing of the Claim Form on 10 May 2021. On this basis, the class was amended to include persons who had made Relevant Purchases from 1 October 2015 to 8 August 2024.

Dr Kent has now made a further application so that the class now also includes persons who have made Relevant Purchases for the first time from 9 August 2024 to 15 November 2024. Only those who made Relevant Purchases for the first time since 9 August 2024 are captured by this update: if you made Relevant Purchases *before* 9 August 2024, and have continued to do so through to 15 November 2024, you are already a Class Member.

As such, if you first made any Relevant Purchases at any time between 9 August 2024 and 15 November 2024, and you were resident or (in the case of businesses) domiciled in the UK on 15 November 2024, you are now also automatically included in Dr Kent’s claim. By doing nothing, you give up your right to make your own separate claim against Apple for the same legal claims in this case and you agree to be bound by judgments the Tribunal may issue in this case.

If you are currently living in the UK as of 15 November 2024, you have the right to “opt-out” or request to be excluded from the claim by 27 December 2024. By opting-out you keep the right to bring your own separate claim against Apple. However, if you opt-out you will not be able to get any money from this claim (if money becomes available). More information on how to opt-out can be found at www.appstoreclaims.co.uk/Apple.

If you are living outside the UK as of 15 November 2024 but meet the criteria to be in the class and wish to be part of the claim, you will need to “opt-in” to the claim. The deadline for opting-in is 27 December 2024. More information on how to opt-in can be found at www.appstoreclaims.co.uk/Apple.

General Information

1. Why has this notice been issued?

The Competition Appeal Tribunal has directed that this notice be issued following an Order made on 21 November 2024 (the “**Order**”; see copy at the Annex to this notice). The Order states that the class definition should be amended as described above.

This notice has been issued to inform you of this change.

During the case, the class representative, Dr Kent, is responsible for communicating with the class and for issuing formal notices, such as this notice. Updates about the claim will be available on the claim website www.appstoreclaims.co.uk/Apple, through the media and on social media.

2. Who is in the class?

The Consumer Rights Act 2015 allows for a collective claim to be brought on behalf of a group of individuals who are alleged to have suffered a common loss. The group is the “class” and all individuals within the group are “class members.” Under the collective regime, groups of persons who have all suffered loss do not need to each bring an individual claim to obtain redress. Instead, class members may all receive compensation through a single, collective claim brought on their behalf by a representative.

In this case, the Tribunal has decided that you are included in the class of persons who can bring a claim if, in the period between 1 October 2015 and 15 November 2024, you made Relevant Purchases. This is regardless of whether you are an individual or business. You must also have been resident or (in the case of businesses) domiciled in the UK on either: (a) the original date of 5 May 2022 (for those who first made purchases from 1 October 2015 to 8 August 2024), or (b) the further date of 15 November 2024 (for those who first made purchases from 9 August 2024 to 15 November 2024), to be included in the class.

You can answer the questions provided on the website, <https://appstoreclaims.co.uk/Apple#RepresentedClaimants> to check whether you can be included in the claim.

However, you will only be eligible to be part of the class if you made at least one Relevant Purchase on your iPhone or iPad device, as the claim only concerns the version of the App Store that is compatible with the operating system that iPhone and iPad devices use to run (the iOS and iPadOS operating system), and that Relevant Purchase was made using the UK storefront of the App Store.

How to Opt-Out or Opt-in

3. I am a UK resident on 15 November 2024 and I want to be removed from the class.

If you are a UK resident on 15 November 2024 who first made a Relevant Purchase between 9 August 2024 and 15 November 2024 and you want to be removed from the class, send a letter to:

Questions? Visit www.appstoreclaims.co.uk/Apple

UK Apps Administrator

PO Box 1435
Sunderland
SR5 9UD

Alternatively, email the following email address: forms@Appstoreclaims.co.uk.

Include the following statement in your letter “**I want to opt-out of the UK collective claim against Apple, Case No. 1403/7/721**,” along with your full name, postal address, email address and telephone number. Sign and date your opt-out letter. You do not have to give a reason for opting-out. Visit www.appstoreclaims.co.uk/Apple to download a template letter to assist with this process.

To be processed, your opt-out letter must be received or postmarked by 27 December 2024. Once your opt-out letter or email is received and processed, you will be sent an acknowledgement by email if you have provided an email address, or by post if not.

By opting-out, you will not be able to receive a payment from this claim if money becomes available. However, you may be able to bring your own separate claim against Apple for the same issues.

4. I will NOT be a UK resident on 15 November 2024 and I want to be part of the class.

If you are not a UK resident on 15 November 2024 (even if you were before) but first made a Relevant Purchase between 9 August 2024 and 15 November 2024, you must take steps to opt-in to the class if you want to be part of the claim and be eligible to receive a payment in the future.

Visit www.appstoreclaims.co.uk/Apple and complete the opt-in form on the website, submitting it directly through the website or via email to the following email address: forms@Appstoreclaims.co.uk . In order to opt-in to the class you must provide your full name, postal address, country of domicile, email address and telephone number, and state that you satisfy the criteria set out in the class definition.

If you prefer, you may also opt-in by post. Send the opt-in form, which can be downloaded at www.appstoreclaims.co.uk/Apple, or a letter with the information listed in the previous paragraph to:

UK Apps Administrator
PO Box 1435
Sunderland
SR5 9UD

To be considered, your opt-in request must be received or postmarked by 27 December 2024. Once your opt-in request is received and processed, you will be sent an acknowledgment by email if you have provided an email address, or by post if not.

5. If I am NOT a UK resident 15 November 2024 and I do not opt-in by 27 December 2024, can I claim payment?

Under the rules of the Tribunal, if you first made an initial purchase between 9 August 2024 and 15 November 2024 are not a UK resident on 15 November 2024, you are required to submit an

Questions? Visit www.appstoreclaims.co.uk/Apple

opt-in request by 27 December 2024 (see previous question) to be part of the class. If you do not opt-in by 27 December 2024 and money later becomes available, the only way for you to be eligible to receive a payment is for the Tribunal to give you permission to opt-in at a later time. There is no guarantee this permission will be given, so you must opt-in by 27 December 2024 if you want to ensure you are eligible to receive a payment.

Getting More Information

6. How can I stay updated on the progress of the claim?

You can visit www.appstoreclaims.co.uk/Apple and register to receive email updates and any future notices via email as the claim progresses. If, and when, money becomes available, you will be contacted with information on how to claim your share.

7. How can I get more information?

This notice summarises the Order which varies the original Collective Proceedings Order (“CPO”). The full Order is set out in the Annex to this notice. The original CPO can be found [here](#). For further information about the claim, visit www.appstoreclaims.co.uk/Apple.

ANNEX



**IN THE COMPETITION
APPEAL TRIBUNAL**

Case No: 1403/7/7/21

BETWEEN:

DR. RACHAEL KENT

Class Representative

- v -

(1) APPLE INC.

(2) APPLE DISTRIBUTION INTERNATIONAL LTD

Defendants

ORDER

UPON the Class Representative’s application and enclosures to the Tribunal dated 30 October 2024 for: (i) permission to amend paragraph 20 of the Re-Re-Amended Claim Form dated 12 August 2024, and subsequently amend paragraph 6(g) of the Collective Proceedings Order made on 29 June 2022 (the “**Collective Proceedings Order**”), and (ii) approval of the draft Further CPO Notice and draft Trial Hearing Notice (the “**Application**”)

AND HAVING REGARD TO the Tribunal’s powers under the Competition Appeal Tribunal Rules 2015

IT IS ORDERED THAT:

1. The Class Representative has permission to amend paragraph 20 of the Re-Re-Amended Claim Form in the form enclosed with the Application.

2. Paragraph 6(g) of the Collective Proceedings Order is amended as follows:

“**Relevant Period**” means the period between 1 October 2015 and 15 November 2024.

3. Paragraph 7 of the Collective Proceedings Order is amended as follows:

“The Domicile Date is 5 May 2022, being the date on which the Tribunal granted the CPO Application, save for in respect of any persons who made Relevant Purchases for the first time from 9 August 2024 to 15 November 2024 in which case the Domicile Date is 15 November 2024.”

4. Paragraph 8 of the Collective Proceedings Order is amended as follows:

“Persons satisfying the Class Definition who are domiciled within the United Kingdom and for whom the Domicile Date is 5 May 2022 may opt-out of these collective proceedings by posting a letter to or emailing Epiq, the Claims Administrators appointed on behalf of the Class Representative, by 9 September 2022, at the address or email address specified online at www.appstoreclaims.co.uk. Persons satisfying the Class Definition who are domiciled within the United Kingdom and for whom the Domicile Date is 15 November 2024 may opt-out of these collective proceedings by posting a letter to or emailing Epiq, the Claims Administrators appointed on behalf of the Class Representative, by 27 December 2024, at the address or email address specified online at www.appstoreclaims.co.uk.

5. Paragraph 9 of the Collective Proceedings Order is amended as follows:

“Persons satisfying the Class Definition and who are domiciled outside the United Kingdom and for whom the Domicile Date is 5 May 2022 may opt-in to these collective proceedings via the opt-in form available online at www.appstoreclaims.co.uk or by posting a letter to or emailing Epiq, the Claims Administrators appointed on behalf of the Class Representative, by 9 September 2022, at the address or email address specified online at www.appstoreclaims.co.uk. Persons satisfying the Class Definition and who are domiciled outside the United Kingdom and for whom the Domicile Date is 15 November 2024 may opt-in to these collective proceedings via the opt-in form available online at www.appstoreclaims.co.uk or by posting a letter to or emailing Epiq, the Claims Administrators appointed on behalf of the Class Representative, by 27 December 2024,

at the address or email address specified online at www.appstoreclaims.co.uk.

6. The Further CPO Notice is approved.
7. The Class Representative shall publish the Further CPO Notice on the claim website (<https://www.appstoreclaims.co.uk/Apple>) and shall also provide a copy to those class members who have registered for updates on the claim.
8. The Trial Hearing Notice is approved.
9. The Class Representative shall publish the Trial Hearing Notice on the claim website (<https://www.appstoreclaims.co.uk/Apple>) and shall also provide a copy to those class members who have registered for updates on the claim.
10. The Class Representative shall file and serve a copy of the Re-Re-Re-Amended Claim Form in the form exhibited to the Application within 14 working days of the date of this order.
11. The costs shall be costs in the case.
12. There be liberty to apply.

Ben Tidswell
Chair of the Competition Appeal Tribunal

Made: 21 November 2024
Drawn: 21 November 2024