

Claim update: purchasers of apps, digital content, or subscriptions within the UK version of the App Store are included in the claim up to 8 August 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, Dr Kent made an application to the Tribunal to amend the scope of the class to include any class members who have now made Relevant Purchases but who were not class members at the date of the filing of the Claim Form on 10 May 2021, combining them with those who were class members at that time.

On this basis, the class now includes persons who have made Relevant Purchases up to 8 August 2024, although that date may be extended at a later point.

If you made Relevant Purchases at any time between 1 October 2015 and 8 August 2024, and you were resident or (in the case of businesses) domiciled in the UK on 5 May 2022, you are automatically included in this claim unless you opted-out by the 9 September 2022 deadline which has now passed. You do not therefore need to do anything.

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 **8 August 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 8 August 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 5 May 2022 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.

Getting More Information

3. 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.

4. 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



**REGISTERED AT THE COMPETITION
APPEAL TRIBUNAL
UNDER NUMBER: 20543
DATE: 08/08/24**

**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 by letter to the Tribunal dated 6 August 2024 for: (i) permission to amend paragraph 20 of the Re-Amended Claim Form dated 7 February 2022, 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 Notice of Amended Class Definition (the “**Application**”)

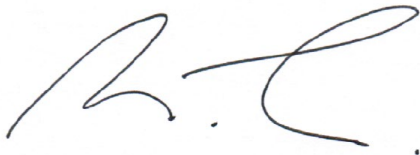
AND HAVING REGARD TO the Tribunal’s powers under the Competition Appeal Tribunal Rules 2015

IT IS ORDERED THAT:

1. The Class Representative has permission to amend paragraph 20 of the Re-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 8 August 2024.
3. The Notice of Amended Class Definition is approved.

4. The Class Representative shall publish the Notice of Amended Class Definition 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.
5. The Class Representative will file and serve a copy of the Re-Re-Amended Claim Form in the form exhibited to the Application within 14 working days of the date of this order.
6. Costs in the case.
7. There be liberty to apply.

A handwritten signature in black ink, appearing to read 'B. Tidswell', with a small dot at the end of the line.

Ben Tidswell
Chair of the Competition Appeal Tribunal

Made: 8 August 2024
Drawn: 8 August 2024