

# **Apple customers who made payments in the UK App Store since 1 October 2015 could benefit from the collective action**

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

- The Competition Appeal Tribunal has decided that a claim filed against Apple Inc. and Apple Distribution Ltd. (collectively “**Apple**” or the “**Defendants**”) on behalf of customers using the UK storefront of the App Store (“**UK App Store**”) may be brought on a collective basis. Dr Rachael Kent was approved in June 2022 to act as the class representative on behalf of individuals and businesses that she claims have suffered loss due to Apple’s conduct.
- According to Dr Kent’s claim, Apple has breached competition law by excluding competition and/or charging an unfair and excessive level of commission on certain app or in-app purchases made on iPhones or iPads in the UK App Store. Dr Kent seeks compensation from Apple on behalf of affected individuals and businesses.
- The class Dr Kent represents includes:

*all persons who, at any point during the period between 1 October 2015 and 15 November 2024 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.*

- No money is available now and there is no guarantee that money will be available in the future. The claim will need to be won or settled by Dr Kent before any money can become available.
- This claim is scheduled to go to trial for **eight weeks**, beginning on **6 January 2025 at 10.30 am** (with the first week being a reading week so no hearing will take place until 13 January 2025). The trial will take place at the Competition Appeal Tribunal, Salisbury Square House, 8 Salisbury Square, London EC4Y 8AP. The trial may be followed via the Tribunal’s website (a “Watch Now” link to view the trial will appear on trial commencement date under Diary list on the following pages <https://www.catribunal.org.uk/> and <https://www.catribunal.org.uk/diary>).
- To learn more about Dr Kent’s claim, please visit <https://appstoreclaims.co.uk/Apple>.

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<b>WATCH OR ATTEND THE TRIAL</b>	This claim is scheduled for an <b>eight-week trial</b> commencing on <b>6 January 2025 at 10.30 am</b> . The first week will be a reading week (so no hearing will take place until 13 January 2025). The trial will take place at the Competition Appeal Tribunal, Salisbury Square House, 8 Salisbury Square, London EC4Y 8AP. The trial may be followed via the Tribunal’s website - a “Watch Now” link to view the trial will appear on trial commencement date under Diary list on the following pages <a href="https://www.catribunal.org.uk/">https://www.catribunal.org.uk/</a> and <a href="https://www.catribunal.org.uk/diary">https://www.catribunal.org.uk/diary</a> . If you are unable to watch the trial online, you are permitted to attend in-person at the address listed for the Competition Appeal Tribunal above.
<b>CONTACT DETAILS</b>	To learn more about the application to bring the proposed claim, visit <a href="https://appstoreclaims.co.uk/Apple">https://appstoreclaims.co.uk/Apple</a> and/or <a href="https://www.catribunal.org.uk/cases/14037721-dr-rachael-kent">https://www.catribunal.org.uk/cases/14037721-dr-rachael-kent</a> .

**GENERAL INFORMATION**

**1. Why has this notice been issued?**

The Competition Appeal Tribunal has issued directions for trial, to determine the outcome of the claim, which is scheduled to commence on **6 January 2025** (with the first week being a reading week). It has also directed that this notice be issued ahead of the trial so that any class members are informed of their ability to attend it.

**2. What is the Competition Appeal Tribunal?**

The Tribunal is a specialist court based in London that covers the whole of the UK and hears cases concerning the application of competition law, including by way of collective proceedings. The Tribunal publishes its Rules and Guidance, together with information about what it does and details of its on-going cases, on its website <https://www.catribunal.org.uk/>.

**3. Who is the claim against?**

This claim is against Apple. Apple is a technology company which manufactures consumer devices including iPhones and iPads. Apple also designs and operates related consumer services such as the App Store.

**4. What is Apple alleged to have done wrong? What are the claims?**

The claim that Dr Kent is bringing alleges that Apple has breached competition law by abusing its dominant position. Dr Kent alleges that Apple has abused a dominant position within particular markets and as a result there are no alternatives to the App Store on iPhones and iPads, and Apple has been able to charge a very high commission on certain purchases in the UK App Store; as much as 30%. As a result, you may have been overcharged.

Dr Kent alleges that if you have made a purchase in the UK App Store on your iPhone or iPad between 1 October 2015 and 15 November 2024 you are likely to have suffered loss and may be entitled to compensation.

#### **5. Who has brought the claim? What is the role of the class representative?**

The Tribunal authorised Dr Kent to serve as the class representative for this claim.

As the class representative, Dr Kent has conducted the claim and will conduct the trial against Apple on behalf of all class members. Dr Kent has instructed a team of lawyers and experts, has made decisions on the conduct of the claim and, in particular, will decide whether to accept any settlement offer that Apple may make and present it to the Competition Appeal Tribunal for its approval.

To assist her, Dr Kent has established a group of individuals experienced in the legal, consumer and payments sectors relevant to the claim. The consultative group's role is to advise Dr Kent to ensure that the proposed collective claim is run in a way that is in the best interests of the proposed class. The members of the consultative group are: Dame Elizabeth Gloster; James Walker; and Kevin Jenkins.

Dr Kent is responsible for communicating with the class and for issuing formal notices, such as this notice, to class members. Updates about the claim will be available on the website <https://appstoreclaims.co.uk/Apple>.

#### **6. How much money does the claim ask for?**

The claim seeks compensation for all those who have been affected by Apple's allegedly anti-competitive behaviour. The total sought is between over £1 billion including interest. If the claim is successful at trial, all persons who have an eligible claim will be able to seek their share of the compensation.

#### **7. How do I get a payment?**

No money is available now and there is no guarantee that money will be available following trial. The case will have to be won in the Tribunal unless a settlement can be agreed between the class representative on behalf of the class and Apple, and approved by the Tribunal.

If, and when, money becomes available, class members will be notified about how to obtain a payment. Please register at <https://appstoreclaims.co.uk/Apple> to stay up to date.

### **GETTING MORE INFORMATION**

#### **8. How can I stay updated on the progress of the claim?**

You can visit <https://appstoreclaims.co.uk/Apple> and register to receive 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.

#### **9. How can I get more information?**

To see other information about the claim, visit <https://appstoreclaims.co.uk/Apple>.