



COMPETITION APPEAL TRIBUNAL

**NOTICE OF A CLAIM FOR DAMAGES UNDER SECTION 47B OF
THE COMPETITION ACT 1998**

CASE No: 1078/7/9/07

The Registrar of the Competition Appeal Tribunal (the “Tribunal”) gives notice of the receipt of a claim for damages on 5 March 2007, under section 47B of the Competition Act 1998 (the “Act”), by the Consumers’ Association, a company limited by guarantee incorporated under the laws of England and Wales whose registered office is 2 Marylebone Road, London, NW1 4DF (the “claimant”) against JJB Sports plc, a company incorporated under the laws of England and Wales whose registered office is Martland Park, Challenge Way, Wigan, WN5 0LD (the “defendant”).

By virtue of the Specified Body (Consumer Claims) Order 2005 (SI 2005/2365), the claimant is a specified body for the purposes of section 47B of the Act.

The claimant’s legal advisers are Clyde & Co., 51 Eastcheap, London, EC3M 1JP (Mr Philip Ruttley).

The claimant indicates that the claim arises as a result of the findings made by the Office of Fair Trading (“OFT”) and the Tribunal, endorsed by the Court of Appeal, in respect of three price-fixing arrangements involving the defendant, concluded and operated in the sale of replica football kit in 2000 and 2001¹.

The claimant brings the claim on behalf of some 130 individual consumers listed in an appendix to the claim form (“the consumers”). The consumers purchased replica Manchester United football shirts at their launches for the 2000/2001 and 2001/2002 seasons, or replica England shirts in the month before and at the time of the Euro 2000 tournament.

The claimant seeks the following relief on behalf of each consumer:

- (a) compensatory damages of such sum as the Tribunal considers appropriate, in respect of each shirt bought by a consumer from a participant in one of the three infringements during the period of the infringement found by the OFT and the Tribunal;
- (b) exemplary or restitutionary damages in the sum of 25 per cent of the relevant turnover of the defendant net of VAT, or such other sum as the Tribunal considers appropriate, to be distributed in accordance with the direction of the Tribunal;
- (c) alternatively, all necessary accounts and inquiries and an order for payment of all such sums as may be found to be due and payable by the defendant to the claimant upon the taking of such inquiry;
- (d) further or other relief; and
- (e) interest.

¹ See OFT decision dated 1 August 2003 No. CA98/06/2003; *Allsports Limited, JJB Sports plc v Office of Fair Trading* [2004] CAT 17; *Umbro Holdings Ltd, Manchester United plc, Allsports Limited, JJB Sports plc v Office of Fair Trading* [2005] CAT 22; and *JJB Sports plc v Office of Fair Trading* Court of Appeal [2006] EWCA Civ 1318.

Further, on its own behalf the claimant seeks payment by the defendant of the expenses and disbursements incurred by the claimant on behalf of the consumers in discharging its statutory role under section 47B of the Act and the Specified Body (Consumer Claims) Order 2005.

Further details concerning the procedures of the Competition Appeal Tribunal can be found on its website at www.catribunal.org.uk.

The Tribunal Registry can be contacted by post at Victoria House, Bloomsbury Place, London, WC1A 2EB, or by telephone (020 7979 7979), or fax (020 7979 7978). Please quote the case number mentioned above in all communications.

Charles Dhanowa
Registrar

Published 12 March 2007