



**IN THE COMPETITION
APPEAL TRIBUNAL**

Case No: 1279/1/12/17

BETWEEN

PING EUROPE LIMITED

Appellant

-v-

COMPETITION AND MARKETS AUTHORITY

Respondent

ORDER

UPON reading the notice of appeal filed by Ping Europe Limited (“Ping”) relating to the decision of the Competition and Markets Authority (the “CMA”) dated 24 August 2017 and entitled “Online sales ban in the golf equipment sector”

AND UPON noting that the Court of Justice of the European Union’s intention to hand down judgment in Case C-230/16 *Coty Germany GmbH v Parfümerie Akzente GmbH* (the “Coty Judgment”) on 6 December 2017

AND UPON the CMA applying on 14 November 2017 for an extension of time for the service of its defence

AND UPON the Tribunal writing to Ping on 21 November 2017 requesting that Ping clarify certain aspects of its notice of appeal

AND UPON reading the submissions of the parties filed in advance of the case management conference (“CMC”) on 4 December 2017, including the CMA’s indication that it intends to apply to exclude certain new evidence submitted by Ping with its notice of appeal (the “Intended Admissibility Application”)

AND UPON hearing counsel for the parties at the CMC

IT IS ORDERED THAT:

Forum

1. The appeal be treated as proceedings in England and Wales.

Confidentiality

2. A confidentiality ring be established by separate order.

Future conduct of the appeal

3. The CMA shall file and serve its Intended Admissibility Application, together with any supporting evidence by 4pm on 11 December 2017.
4. Ping be permitted to file and serve an amended notice of appeal modified to take account of the *Coty* Judgment and the Tribunal's clarification requests by 4pm on 20 December 2017.
5. Ping shall file and serve its response to the Intended Admissibility Application together with any supporting evidence by 4pm on 5 January 2018.
6. The parties will file any other applications and supporting evidence by 4pm on 5 January 2018.
7. The parties will file any further submissions by 4pm on 10 January 2018.
8. A CMC to hear the Intended Admissibility Application and any other case management issues be listed for one day on 15 January 2018.
9. The CMA shall file and serve its defence by 4pm on 26 January 2018.
10. Ping shall file and serve its reply by 4pm on 9 March 2018.
11. A pre-trial review be listed on a date to be fixed between 16 and 27 April 2018 (inclusive).
12. Six copies of the hearing bundle shall be prepared by Ping (liaising in advance with the Tribunal Registry) and lodged at the Tribunal by 4pm on 9 April 2018.
13. Ping shall file and serve its skeleton argument by 4pm on 23 April 2018.
14. The CMA shall file and serve its skeleton argument by 4pm on 30 April 2018.
15. Six copies of the bundles of authorities shall be prepared by the parties and lodged at the Tribunal by 4pm on 8 May 2018.
16. The main hearing of the appeal to be listed during a window between 10 and 25 May 2018 (inclusive).

Costs etc

17. Costs be reserved.

18. There be liberty to apply.

Andrew Lenon QC
Chairman of the Competition Appeal Tribunal

Made: 4 December 2017
Drawn: 5 December 2017