



Claim no. HC-2012-000023

**IN THE HIGH COURT OF JUSTICE**  
**BUSINESS AND PROPERTY COURTS OF ENGLAND AND WALES**  
**COMPETITION LIST (ChD)**

HC-2012-000023

**THE HONOURABLE MR JUSTICE ROTH**  
**16 MAY 2023**

**B E T W E E N : -**

**INFEDERATION LTD**

**Claimant**

**and**

**(1) GOOGLE LLC**  
**(2) GOOGLE IRELAND LIMITED**  
**(3) GOOGLE UK LIMITED**

**Defendants**

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**ORDER**

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**UPON** the Claimant having issued this claim on 22 June 2012 against the Defendants for alleged breach of section 18 of the Competition Act 1998 and/or Article 102 of the Treaty on the Functioning of the European Union (the “**Claim**”)

**AND UPON** hearing Anneli Howard KC, Gerard Rothschild and Khatija Hafesji for the Claimant and Conall Patton KC and Jack Williams for the Defendants at a Case Management Conference held on 28 and 29 March 2023

**AND UPON** the Court noting that the Competition Appeal Tribunal (the “**Tribunal**”) has before it a similar claim (Case 1424/5/7/21 (T) *Kelkoo.com (UK) Limited & others v. Google UK Limited & others*)

**AND UPON** the Court suggesting that the Claim be transferred to the Tribunal, noting the usual practice upon such transfer of the High Court Judge continuing as Chair of the Tribunal panel assigned to the transferred proceedings

**AND UPON** none of the parties opposing transfer

**AND UPON** the Claimant not pursuing its claim for a declaration and agreeing to withdraw prayer 1 of its Re-Re-Amended Particulars of Claim dated 4 March 2022 in due course

**AND HAVING REGARD TO** section 16 of the Enterprise Act 2002 (the “**2002 Act**”), the Section 16 Enterprise Act 2002 Regulations 2015 (the “**2015 Regulations**”), and paragraphs 8.3-8.6 and 8.10-8.13 of Practice Direction 30 to the Civil Procedure Rules (“**CPR**”), regarding transfer to the Tribunal

**IT IS ORDERED** that:

1. The Claim be transferred to the Tribunal pursuant to section 16(4) of the 2002 Act and/or regulation 2(a) of the 2015 Regulations, with a request that a case management conference be listed for Michaelmas Term 2023.
2. Pursuant to paragraph 3 of Practice Direction 30, this Order shall take effect from the date of the making of this Order.
3. The sending of this Order to the parties and to the Tribunal shall constitute notice to them for the purposes of paragraph 8.5 and/or 8.12 of Practice Direction 30 and CPR rule 30.4.
4. For the avoidance of doubt:
  - (a) Neither this Order giving effect to the said transfer, nor the transfer itself, is intended to alter, limit or exclude in any respect any element of the Claim as constituted in this Court prior to the transfer taking effect. Save for the withdrawn claim for a declaration, if, and to the extent that, any other element of the Claim as constituted in this Court prior to the transfer taking effect is not capable of falling within the jurisdiction of the Tribunal on a transfer or would be altered, limited or excluded by this Order or the transfer, it is not subject to this Order and remains within the jurisdiction of this Court.
  - (b) The proceedings were and shall continue to be regarded as having been commenced in this Court. Any further statements of case or amendments to a statement of case shall be made in accordance with the CPR and not with the Tribunal Rules 2015.

- (c) Neither this Order giving effect to the said transfer, nor the transfer itself, is intended to alter, limit or exclude in any respect any element of the Defendants' defence to the Claim as constituted in this Court prior to the transfer taking effect.
  - (d) Any appeal to the Court of Appeal against the determination by the Tribunal of the issues transferred or an Order of the Court giving effect to that determination shall be governed by the rules in CPR Part 52.
5. This Court may give such further directions or make such further order as it thinks fit in connection with the transfer and/or with any such element referred to above.
  6. Costs be in the case.
  7. This Order shall be served by the Claimant on the Defendants.

**Service of the Order**

The Court has provided a sealed copy of this Order to the solicitors to the serving party:

Hausfeld LLP at 12 Gough Square, London EC4A 3DW

[ref.: LH/SG/AN/KG/DS L0167.0001]

(solicitors for the Claimant)