



COMPETITION APPEAL TRIBUNAL

NOTICE OF A CLAIM UNDER SECTION 47A OF THE COMPETITION ACT 1998

Case No: 1732/5/7/25

Pursuant to Rule 33(8) of the Competition Appeal Tribunal Rules 2015 (S.I. 2015 No. 1648) (the “Tribunal Rules”), the Registrar gives notice of the receipt of a claim for urgent interim relief and/or other remedies for loss and damage (the “Claim”) on 18 June 2025, under section 47A of the Competition Act 1998 (the “Act”), by Eurospares (Continental Parts) Limited (the “Claimant”) against Porsche Cars Great Britain Limited and Porsche Retail Group Limited (together the “Defendants”).

The Claim arises from an alleged infringement of the prohibitions contained in section 2 of the Act (the “Chapter I Prohibition”) and section 18 of the Act (the “Chapter II Prohibition”).

The Claimant is an independent reseller of genuine spare parts for a range of premium sports cars, including Porsche, Ferrari, Lamborghini and Maserati (amongst others). The Claimant is an ‘intermediary’ that does not sell vehicles, install spare parts or offer any vehicle repair or maintenance services. The Claimant’s business is almost entirely online through its website.

The First Defendant, Porsche Cars Great Britain Limited is the wholly-owned UK subsidiary of Dr. Ing. H.c.F Porsche AG and is the exclusive importer of new Porsche vehicles and Porsche parts into the UK. Through its selective distribution network, the First Defendant controls the supply of Porsche parts to authorised dealers.

The Second Defendant, Porsche Retail Group Limited is a wholly-owned subsidiary of the First Defendant and operates as a Porsche Owned Authorised Dealer within Porsche’s selective distribution network, with locations in Guildford, Hatfield, Mayfair, Reading and West London. The Second Defendant operates an “aftersales facility” at its West London centre which provides comprehensive aftersales services for new, pre-owned and classic Porsche cars.

The Claimant has had a supply relationship with the Second Defendant for over six years, pursuant to which the Claimant has been supplied with Porsche parts. According to the Claim, on 27 September 2024, the Second Defendant wrote to the Claimant informing it that it had been instructed to cease supplying the Claimant with Porsche parts with immediate effect. The Claimant alleges that there is a “Reseller Ban” in place which only allows Porsche dealers to supply Porsche parts to independent repairers and end customers who service or repair Porsche vehicles themselves.

The Claimant negotiated a period of transitional supply of Porsche parts until 27 May 2025, which was later extended by consent pending the Tribunal’s determination of the Claimant’s application for interim relief. The Claim contends that the Reseller Ban has been incorporated into Porsche’s Dealer Agreements, and the Defendants’ conduct in imposing the Reseller Ban contravenes the Chapter I Prohibition because:

- (1) Porsche’s criteria for membership of its selective distribution system do not satisfy the “Metro” criteria,¹ and constitute a restriction of competition by object or effect; and
- (2) Porsche’s selective distribution system contains hardcore restrictions and is therefore not exempt under the Vertical Block Exemption Order 2022 and/or the Motor Vehicle Block Exemption Order (No.2) Order 2023.

The Claim contends that there is an infringement of the Chapter II Prohibition because:

¹ As set out in Case 26/76 *Metro SB-Grossmärkte GmbH & Co. KG v. Commission of the European Communities* ECLI:EU:C:1977:167.

- (1) the Second Defendant holds a monopoly position in a UK wholesale import market for the import and distribution of Porsche parts, because it is the sole importer of Porsche parts into the UK and independent resellers can only obtain Porsche parts from the Second Defendant or another of Porsche's authorised dealers;
- (2) the Defendants' refusal to supply Porsche parts to the Claimant is an abuse of its dominant position; and/or
- (3) the Defendants' conduct is abusive because it amounts to discriminatory self-preferencing.

The Claimant seeks:

- (1) interim injunctive relief pending a full trial;
- (2) declarations that the Defendants' conduct breaches each of the Chapter I Prohibition and the Chapter II Prohibition;
- (3) a permanent injunction preventing the Defendants from unreasonably ceasing to supply the Claimant after the conclusion of the proceedings;
- (4) damages;
- (5) costs; and
- (6) such further or other relief as the Tribunal may think fit.

Further details concerning the procedures of the Competition Appeal Tribunal can be found on its website at www.catribunal.org.uk. Alternatively, the Tribunal Registry can be contacted by post at Salisbury Square House, 8 Salisbury Square, London EC4Y 8AP, or by telephone (020 7979 7979) or email (registry@catribunal.org.uk). Please quote the case number mentioned above in all communications.

Charles Dhanowa CBE, KC (Hon)
Registrar

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