



IN THE COMPETITION
APPEAL TRIBUNAL

Case No: 1382/7/7/21

BETWEEN:

CONSUMERS' ASSOCIATION

Class Representative

- v -

QUALCOMM INC.

Defendant

ORDER

UPON the Order of the Tribunal (by consent) on 9 December 2021 establishing a Confidentiality Ring in these proceedings, as amended most recently by the Order of the Tribunal made on 21 June 2023 (the “**Revised CRO**”)

AND UPON the guidance given by the Tribunal at the Pre-Trial Review (“**PTR**”) on 29 July 2025, and agreed by the Class Representative and the Defendant, as to the General Approach to Confidentiality in these proceedings

AND UPON paragraph 20 of the Order of the Tribunal made on 29 July 2025 following the PTR (the “**PTR Order**”)

AND UPON the letter on behalf of Apple Inc. (“**Apple**”) dated 27 August 2025 identifying the Apple documents to which the General Approach to Confidentiality was understood to apply

AND UPON the letters on behalf of Samsung Electronics Co. Limited (“**Samsung**”) dated 25 August and 1 September 2025, identifying the Samsung documents to which the General Approach to Confidentiality was understood to apply

AND UPON no application having been made by the Class Representative pursuant to paragraph 20(a) of the PTR Order

AND UPON the applications made by the Defendant, Apple Inc., Samsung and Huawei Technologies Co. Ltd. on 28 August 2025 pursuant to paragraph 20(b) of the PTR Order (together, the “**Applications**”)

AND UPON hearing submissions on the Applications from the Class Representative, the Defendant and, separately, Apple, Samsung and Huawei Technologies Co. Ltd (together, the “**Third Parties**”) at a hearing on 4 September 2025

AND UPON the Chair’s indication that in granting the Applications the Chair was making decisions on the confidential status of the documents concerned *pro tem*

AND UPON the letters from Norton Rose Fulbright LLP dated 16 and 17 September 2025, from Freshfields LLP dated 16 September 2025, and from CMS dated 18 September 2025

IT IS ORDERED THAT:

1. The following documents shall (*pro tem*) be placed in confidential bundles and shall be treated as Outer Ring Confidential Information for the purposes of the Revised CRO (save to the extent that they are already designated as Inner Ring Confidential Information, in which case they shall retain that designation):
 - (a) Any documents added by the parties to the trial bundle on 13 and 20 August 2025 that exceed 20 pages.
 - (b) The documents listed in Annex 1 to this Order (save that the Defendant will review for confidentiality the specific pages of those documents that are referred to in the statement of case, witness statement or expert report in which each document is cited).
 - (c) Any parts of documents internal to the Defendant that refer to Apple or Samsung confidential information, as listed at Annex 3 to this Order.

2. By 4.00 pm on 19 September 2025, in respect of the documents or parts of documents referred to in paragraph 1 above (to the extent not already referred to in the statement of case, witness statement or expert report in which the document is cited), the Class Representative and the Defendant shall notify the other in regard of the specific pages that it may wish to refer to in open Court, so that those pages can be reviewed by the Defendant for confidentiality and the Defendant can highlight the relevant part(s) of those documents.

To the extent that any such pages refer to third party confidential information, notice shall also be provided to the other party and to relevant third parties by 4:00pm on 22 September 2025, in order to allow them to make representations (if so advised) as soon as reasonably possible and no later than 4:00 pm on 29 September 2025.

3. In respect of the documents listed in Annex 2 to this Order:
 - (a) The documents shall be treated *pro tem* in accordance with the confidentiality designation identified in Annex 2.
 - (b) Where Annex 2 indicates that the stated confidentiality designation shall apply in respect of ‘part’ of a document, the information in that document that shall be treated as confidential *pro tem* shall comprise (i) any information identified as confidential in the Applications and (ii) any information that would be treated as confidential on the application of the General Approach to Confidentiality.
 - (c) The Defendant shall apply the confidentiality designation identified in Annex 2 for those documents that were added to the trial bundle on 20 August 2025.
4. Any documents that would be treated as confidential pursuant to the General Approach to Confidentiality shall be designated *pro tem* as Outer Ring Confidential Information for the purposes of the Revised CRO (save to the extent that they are already designated as Inner Ring Confidential Information, in which case they shall retain that designation).

5. The Third Parties' costs of the Applications reserved until final judgment of the claims.
Otherwise, costs in the case.

Mr Justin Turner KC

Chair of the Competition Appeal Tribunal

Made: 18 September 2025

Drawn: 18 September 2025

ANNEX 1-3

Not included in publicly available Order for confidentiality reasons