



COMPETITION APPEAL TRIBUNAL

NOTICE OF AN APPLICATION TO COMMENCE COLLECTIVE PROCEEDINGS UNDER SECTION 47B OF THE COMPETITION ACT 1998

CASE NO. 1749/7/7/25

Pursuant to rule 76(8) of the Competition Appeal Tribunal Rules 2015 (S.I. 2015 No. 1648) (“the Rules”), the Registrar gives notice of the receipt on 14 August 2025 of an application to commence collective proceedings, on an opt-out basis, under section 47B of the Competition Act 1998 (“the Act”), by the Association of Consumer Support Organisations Limited, (“the Applicant/Proposed Class Representative”) against (1) Amazon.com, Inc., (2) Amazon Europe Core S.À.R.L., (3) Amazon EU S.À.R.L., (4) Amazon U.K. Services Ltd., and (5) Amazon Payments U.K. Limited (together “the Proposed Defendants” or “Amazon”) (“the Application”). The Applicant/Proposed Class Representative is represented by Stephenson Harwood LLP, 1 Finsbury Circus, London EC2M 7SH (Reference: Genevieve Quierin, Tim Knight, Alex Athanasopoulos).

Amazon operates an online retail marketplace through which customers can purchase products from third-party sellers and Amazon's own retail arm. Amazon maintains individual websites for different countries. Amazon's UK marketplace is available at amazon.co.uk and can be accessed through a web browser or an application that can be downloaded onto portable devices (“Amazon's UK Marketplace”). The Proposed Class Representative alleges that Amazon, through Amazon's UK Marketplace, is dominant on the market for online marketplace services provided to third party retailers in the UK.

The Proposed Defendants are members of the Amazon corporate group. The first Proposed Defendant is the parent company of the Amazon group of companies and directly or indirectly owns the other Proposed Defendants. The second Proposed Defendant manages Amazon's European marketplace websites, operates Amazon's UK Marketplace website amazon.co.uk, and owns the domain www.amazon.co.uk. The third Proposed Defendant took on all of the assets and liabilities of Amazon Services Europe S.à.r.l., which provided third-party sellers active in the sale of products on Amazon marketplaces, including Amazon.co.uk, with certain services, pursuant to a “Business Solutions Agreement” into which Amazon and third-party sellers enter. From 1 August 2024, the third Proposed Defendant became the counterparty to the Business Solutions Agreement. The fourth Proposed Defendant provides fulfilment and corporate support services for the Amazon group, including general administrative support and was one of the entities operating Amazon's UK Marketplace. The fifth Proposed Defendant provides payment processing between consumers and sellers of products or services offered by other Amazon group undertakings.

The Application proposes to combine claims for damages arising from Amazon's alleged breaches of statutory duty and are brought under Articles 101 and 102 of the Treaty on the Functioning of the European Union (up to 31 December 2020) and / or Sections 2 and 18 of the Act.

The claims against Amazon relate to Amazon's price parity policies which apply to third-party sellers on Amazon's UK Marketplace. It is alleged that these policies prevent or strongly discourage third-party sellers from offering lower prices for their products on other e-commerce platforms and their own websites, even where the costs of selling through these other sales channels are lower than the costs of selling through Amazon's UK Marketplace. The Proposed Class Representative alleges that the price parity policies, which are monitored and enforced by Amazon, unlawfully protect Amazon from price competition from other e-commerce platforms, thereby strengthening Amazon's market dominance and restricting competition, both between e-commerce platforms and third-party retailers operating on such platforms.

Absent the price parity policies, it is alleged that third-party sellers would be able to and would in fact offer their products at lower prices on other e-commerce platforms. This would allow other e-commerce platforms to grow their market shares, which in turn would apply competitive pressure on Amazon. Faced with increased competitive pressure from other e-commerce platforms, Amazon would reduce the level of its marketplace fees

to third-party sellers. As a consequence, third-party sellers would in turn pass on the reductions in marketplace fees in the form of lower prices to consumers purchasing their products on Amazon's UK Marketplace. The Proposed Class Representative alleges that but for Amazon adopting and enforcing the price parity policies, UK-domiciled consumers who purchased products from third-party sellers on Amazon's UK marketplace would have paid less for those products. Accordingly, those consumers are said to have suffered loss and damage.

The Proposed Class is all natural persons aged 18 or over (and / or the estates of deceased natural persons who were 18 or over at the time of death) who purchased at least one product from a third-party seller on Amazon's UK based e-commerce platform at Amazon.co.uk within the Relevant Period. The Relevant Period is the period starting six years (or five years to the extent claims are governed by Scots law) before 14 August 2025. The Application estimates that there are between 45.4 and 48.9 million persons who are Proposed Class Members. A preliminary estimate is that the Proposed Class Members have suffered aggregate damages, together with interest, of between £3.6 billion and £7.5 billion.

According to the Application, the claims are suitable to be brought in opt-out collective proceedings because they are brought on behalf of an identifiable class of persons, and they raise common issues, namely that Amazon's price parity policies caused the Proposed Class Members to pay higher prices for products purchased from third-party sellers on Amazon's UK marketplace. The Proposed Class Representative submits that these claims are suitable to be brought in collective proceedings because that is the only viable means of bringing the claims on behalf of a class of this size.

The Applicant/Proposed Class Representative submits that it would act fairly and adequately in the interests of the Proposed Class Members because:

1. The Applicant/Proposed Class Representative is not a member of the Proposed Class and does not have an interest in relation to any common issues for the Proposed Class Members that is in conflict with the interests of the Proposed Class Members.
2. The Applicant/Proposed Class Representative is a pre-existing body and is an independent association dedicated to promoting consumer welfare.
3. The Applicant/Proposed Class Representative has put in place a litigation plan, has engaged a specialist claim administrator, has appointed a specialist public relations firm, and is advised by experienced commercial and competition litigators.
4. The Applicant/Proposed Class Representative has entered into a litigation funding agreement to enable it to pay the costs of the proposed collective proceedings, including any adverse costs incurred by Amazon in defending the claims.

The relief sought in these proceedings is:

- (1) Damages to be assessed on an aggregate basis;
- (2) Simple interest on such sums, for such period, and at such rate, as the Tribunal sees fit;
- (3) The costs of the Proposed Class Representative; and
- (4) Any such further or other relief as the Tribunal may see fit.

Further details concerning the procedures of the Competition Appeal Tribunal can be found on its website at <https://www.catribunal.org.uk>. Alternatively, the Tribunal Registry can be contacted 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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