



IN THE COMPETITION
APPEAL TRIBUNAL

Case No: 1570/5/7/22 (T)

BETWEEN:

JJH ENTERPRISES
(TRADING AS VALUELICENSING)

Claimant

- v -

(1) MICROSOFT CORPORATION
(2) MICROSOFT LIMITED
(3) MICROSOFT IRELAND OPERATIONS LIMITED

Defendants

ADDITIONAL REASONS FOR THE REASONED ORDER OF 6 FEBRUARY 2026

1. By Reasoned Order of 6 February 2026 (the “Stay Order”), I granted the Defendants’ application for a stay of proceedings pending judgement of the Court of Appeal on the Preliminary Issue. That appeal is listed to be heard on 28 and 29 of April 2026. One of the reasons I gave was that it was not suggested by the Claimant that a stay of these proceedings would prejudice a trial date in 2027. Currently the claim is not listed for a particular date in 2027.
2. It has now been pointed out by the Claimant, in a letter of 9 February 2026, that this statement is incorrect and that in the Seventh Witness Statement of Charles Fussell (a partner in Ghaffari Fussell LLP, solicitors to the Claimant) it was stated that the stay would likely delay the trial from 2027 to 2028. For that reason, I have been asked to revisit the Stay Order, which I have now done.

3. Mr Fussell's witness statement provides no reasoning or particulars to support the assertion that a 2027 trial date is not feasible if a stay is ordered. Notwithstanding Mr Fussell's position, and in the absence of detailed reasons, I do not accept that a stay of 3-4 months in the first half of 2026 will mean that a trial cannot take place in 2027. Further, even if a trial date were not possible in 2027, the potential of wasted costs would nevertheless mean that a stay is appropriate. For this reason, I will not vary the Stay Order.

Dr Justin Turner KC
Chair of the Competition Appeal Tribunal

Made: 11 February 2026
Drawn: 11 February 2026