



Neutral citation [2026] CAT 8

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

REASONED ORDER (STAY)

UPON the Claimant's claim registered in the Tribunal under case number 1570/5/7/22 (the "**Claim**")

AND UPON the Claimant's application filed on 27 January 2025 under Rule 19(2)(t) of the Competition Appeal Tribunal Rules 2015 (the "**Tribunal Rules**"), that the Tribunal try certain issues in these proceedings as a preliminary issue trial (the "**PI Application**")

AND UPON the Defendants' application filed on 19 February 2025 in response to the PI Application which raised an issue regarding whether the Tribunal has jurisdiction over the Claim insofar as it raises disputed issues of copyright law (the "**Jurisdiction Application**")

AND UPON the Tribunal's Ruling dated 23 May 2025 ([2025] CAT 33) dismissing the Jurisdiction Application (the "**Jurisdiction Ruling**")

AND UPON the Tribunal's Reasoned Order dated 25 June 2025 granting the Defendants' application seeking permission to appeal the Jurisdiction Ruling

AND UPON the Tribunal's Judgment dated 12 November 2025 ([2025] CAT 75) following the preliminary issues trial held on 9-10 September 2025 (the "**PI Trial Judgment**")

AND UPON the Tribunal's Reasoned Order dated 4 December 2025 granting the Defendants' application seeking permission to appeal the PI Trial Judgment

AND UPON the Court of Appeal having listed a hearing on 28 and 29 April 2026 to determine the appeals of the PI Trial Judgment and the Jurisdiction Ruling (together, the "**Appeals**")

AND UPON the Defendants' application filed on 19 December 2025 for a stay of proceedings pending determination of the Appeals (the "**Stay Application**")

AND UPON considering the Claimant's response filed on 9 January 2026 to the Stay Application (the "**Response**")

AND UPON considering the Defendants' letters dated 12 and 22 January 2026 and 2 February 2026 regarding the Stay Application

AND HAVING REGARD TO Rule 19(2)(n) of the Tribunal Rules

IT IS ORDERED THAT:

1. The Defendants' Stay Application is granted.
2. The proceedings shall be stayed forthwith until the Court of Appeal hands down judgment in the Appeals, or by further order of the Tribunal.
3. There be liberty to apply.
4. Costs in the case.

REASONS:

1. The Tribunal considers that it would be just and proportionate for the proceedings to be stayed pending the determination of the Appeals. The stay will extend to all steps in the litigation including disclosure.
2. In making this order, the Tribunal has had regard to the fact that if the Defendants are successful in their appeal of the Jurisdiction Ruling, the Tribunal may not have jurisdiction to hear some or all aspects of these proceedings. The Tribunal has also had

further regard to the parties' agreed position that a judgment on the first preliminary issue may be dispositive of the proceedings in their entirety, and judgment on the second preliminary issue in favour of the Defendants may render the Claimant's losses *de minimis*.

3. In these circumstances, refusing the Defendants' Stay Application, and instead allowing the timetable towards the liability trial to progress without waiting for the determination of the Appeals, presents the risk of avoidable costs being incurred. Such costs may be considerable given the significant workstreams associated with the impending liability trial, including, among other matters, the preparation of witness evidence and further disclosure.
4. The Tribunal notes that the parties are broadly aligned in their position that the preparation of factual evidence should either be stayed (as the Defendants submit) or significantly delayed by approximately five months (as the Claimant submits).
5. In light of the above, the Tribunal is satisfied that the balance of justice and proportionality favours granting a stay at this time, which extends to disclosure disputes. It is not suggested that a stay of these proceedings until the Court of Appeal gives judgment (the Appeal being set down for late April 2026) will prejudice the trial date in 2027.

Justin Turner KC
Chair

Made: 6 February 2026
Drawn: 6 February 2026