



Case No: 1745/5/7/25 (T)

IN THE COMPETITION

APPEAL TRIBUNAL

BETWEEN:

**(1) ROADGET BUSINESS PTE. LTD. (A COMPANY INCORPORATED IN
SINGAPORE)**

(2) SHEIN DISTRIBUTION UK LIMITED

Claimants

- v -

WHALECO UK LIMITED

Defendant

REASONED ORDER

UPON the proceedings having been commenced by Claim Form in Claim No. IL-2023-000132 dated 7 August 2023 (as amended) (the **IP Proceedings**)

AND UPON the Order of Bacon J dated 29 July 2025 transferring the competition law issues contained in the Defendant's counterclaim to the Tribunal (the **Competition Proceedings**)

AND UPON the Order of Bacon J dated 9 January 2026 setting out amended directions to the trial of the liability issues in the Competition Proceedings

AND UPON the Order of Bacon J dated 12 January 2026 directing the parties to engage in alternative dispute resolution by way of mediation in respect of both the IP and the Competition Proceedings (together the **Proceedings**)

AND UPON a case management conference in the Competition Proceedings being listed for 23 April 2026 (the **CMC**)

AND UPON the Claimants applying on 6 February 2026 to the Tribunal for a stay of the Competition Proceedings (the **Application**)

AND UPON reading the response of the Defendant dated 9 February 2026 to the Application (the **Response**)

IT IS ORDERED THAT:

1. The Application is refused.
2. Costs reserved to the CMC.

REASONS

1. The Claimants seek a stay on the basis that there is no outcome to the mediation but that the parties have agreed that the mediation process will remain open. The Defendant has stated in its Response, however, that the mediation has been unsuccessful in resolving the Proceedings or any part of them, and that the Defendant has not agreed to keep the mediation open.
2. As pointed out by the Defendant, the alternative dispute resolution process was agreed on the basis that it would not impact the timetable for the Proceedings. The Claimants have not given any compelling reasons why any further settlement discussions (if they do take place, whether by way of mediation or otherwise) cannot take place alongside the continuation of the Competition Proceedings.
3. As further noted by the Defendant, there is already a very tight timetable for the Competition Proceedings, and disclosure in the Competition Proceedings will also be standing as disclosure in the IP Proceedings, in respect of which the Claimants do not seek a stay. Any stay is therefore likely to disrupt the timetables of both the IP and the Competition Proceedings, and put at risk the trial dates in both of those Proceedings.

The Honourable Mrs Justice Bacon
President of the Competition Appeal Tribunal

Made: 9 February 2026
Drawn: 9 February 2026