COMPETITION APPEAL TRIBUNAL

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

CASE NO. 1773/7/7/26

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 6 May 2026, of an application to commence collective proceedings under section 47B of the Competition Act 1998 (the "Act") by AGC Collective Actions Limited (the "PCR") against: (1) Alphabet Inc.; (2) Google LLC; (3) Google Ireland Limited; and (4) Google UK Limited (together the "Proposed Defendants" or "Google"). The PCR is represented by KP Law Limited, 75 High Holborn, London WC1V 6LS (Reference: James Matthews, Duncan Hedar and Emma Birch).

The Collective Proceedings Claim Form ("CPCF") states that the claims (the "Claims") it is proposed to combine in the collective proceedings are for damages resulting from Google's alleged breaches of section 18 of the Act (the Chapter II prohibition), Article 102 of the Treaty on the Functioning of the European Union ("Article 102") and Article 54 of the Agreement on the European Economic Area ("Article 54") (the "Proposed Claim").

The CPCF states that the "Proposed Class" consists of "[a]ll UK-domiciled Advertisers who, during the relevant period, paid for display advertising services provided by Google (whether they purchased directly or through a media agency) for the open web", "Advertisers" being businesses wishing to advertise their products or services (the "Proposed Class Members").

The CPCF states that the "Relevant Period", during which the PCR claims damages, commences from 1 October 2015 (and if not, from at least 9 March 2017) and is continuing.

The PCR is a company limited by guarantee which was incorporated for the sole purpose of bringing the Proposed Claim. Mr Adam Grant Collinson is the sole director and member of the PCR.

The Proposed Defendants are members of the Google corporate group. The Proposed Claim relates to the purchase of online display advertising ("ads") on Google's two-sided platform, with Advertisers and publishers on either side. Advertiser demand for ads is managed by ad-buying tools, and publisher supply is managed by publisher ad servers. The CPCF states that Google's Ad Buying Tools (Google Ads and DV360) are dominant in the market for programmatic (i.e automated) Ad Buying Tools for the open web, and that Google's Publisher Ad Server (DFP) is dominant in the Publisher Ad Server market.

The PCR alleges an abuse arises because Google channelled the purchase of display advertising through its own supply-side platform ("SSP"), AdX, to the detriment of other SSPs. By its

"Buy-Side Conduct" and "Sell-Side Conduct", the PCR alleges that Google has favoured AdX and distorted competition in the market for SSPs for online display advertising.

As to the Buy-Side Conduct, it is alleged that Google, through Google Ads and DV360, has favoured AdX, for example, by inflating Advertiser bids on AdX (making AdX more attractive to publishers), charging higher fees for bids submitted on rival SSPs, or lowering those bids (making them less attractive to publishers).

As to the Sell-Side Conduct, it is alleged that Google, has through DFP, favoured AdX, by the following practices: the practice of "Last Look", whereby DFP communicated the bids of other SSPs to AdX before AdX ran its own auction, thus allowing AdX to win the bid by a marginal increase; various practices that placed restrictions on rival SSPs from competing with AdX; a practice involving unified pricing rules which restricted publishers from setting a higher price floor on AdX than other SSPs; and, the practice of dynamic revenue sharing whereby DFP allowed AdX to use its Last Look advantage to lower its fees to win business at the expense of rival SSPs.

It is further alleged that by means of this conduct, Google has leveraged its dominance in the ad tools buying market and in the publisher ad server market onto the neighbouring market for SSPs for online display marketing, and as a result, AdX has acquired greater market share and market entry and expansion by other SSPs has been restricted.

The PCR further contends that the conduct has caused Advertisers loss and damage. Damages are claimed in respect of two types of harm. First, the PCR alleges that the abusive conduct restricted sources of supply of display advertising, via the preferential channelling of demand and supply through AdX to the exclusion of other SSPs, thereby distorting the allocation of advertising inventory, reducing the volume and relevance of inventory available, and resulting in a lower return to Advertisers on their advertising. Second, the PCR alleges that the conduct caused Advertisers to pay higher prices for advertising that was displayed, resulting in a reduction in Advertisers return on advertising spend.

In support of the application for certification of the Proposed Claim, the CPCF refers to: (i) the European Commission Decision of 5 September 2025 in Case AT.40670 – Google – Adtech and Data-related practices; (ii) Case 1572/7/7/22 & 1582/7/7/23 *Ad Tech Collective Action LLP v Google* which was certified by the Tribunal in respect of publishers domiciled in the UK; and (iii) the Competition and Markets Authority's statement of objections issued to Google and provisionally finding it had abused its dominant position in the Ad Buying Tools and Publisher Ad Server markets by favouring AdX.

The CPCF summarises the basis upon which it is contended that the criteria for certification and approval in Rule 79 of the Rules are satisfied:

1. The Proposed Class has been defined in such a manner as to allow for the ready identification of its membership, and the PCR has sought to frame the definition of the Proposed Class so that it is possible to say for any particular person objectively whether that person falls within the Proposed Class.

2. The Claims raise several common issues within the meaning of s. 47B(6) of the Act, namely: (i) the definition of the relevant markets; (ii) whether Google held a dominant position in those markets during the Relevant Period; (iii) whether Google abused its dominance in those markets; and (iv) whether Google's abuse of dominance has caused loss and damage to Advertisers and if so, how much and the rate of and duration over which interest is payable.

3. The Claims are suitable to be brought in collective proceedings, as, if there are 205,000–250,000 members of the Proposed Class, it is not practicable for them to pursue individual claims, and collective proceedings are likely to be the only practical and economically viable method for them to have access to justice; as such, the cost benefit analysis favours the bringing of collective proceedings.

4. The Proposed Claim is suitable to be brought on an opt-out basis on the basis of both the strength of the Claims, and the practicability of bringing the Claims on an opt-in basis. The PCR argues the merits of the Claims are very strongly arguable; there is no concern that undue leverage will be given to the Proposed Class; and, it is more efficient for the Claims to be brought on an opt-out basis.

The PCR submits that it is just and reasonable for it to be authorised to act as the class representative and would act fairly and adequately in the interests of the class. In summary, the key points in this regard are: (i) it is not a member of the Class and has no conflict of interest; (ii) Mr Collinson has the requisite experience and expertise to act as the de facto PCR; (iii) it has prepared a notice and administration plan with an experienced company; (iv) it has prepared a litigation management plan, which envisages that the Proposed Claim be case managed alongside Case 1572/7/7/22 & 1582/7/7/23; (v) it has appointed an experienced advisory committee; (vi) it has agreed a comprehensive litigation budget and has adequate funding arrangements (including ATE insurance for potential adverse costs); and (vii) does not seek any interim relief, which would expose the PCR to any possible undertaking in damages.

The relief sought in the Proposed Claim is an aggregate award of damages, which is provisionally estimated as between £1.827–3.173 billion including simple interest.

Further details concerning the procedures of the Competition Appeal Tribunal can be found on its website at 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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