



**IN THE COMPETITION**  
**APPEAL TRIBUNAL**

Case No: 1403/7/7/21

BETWEEN:

**DR RACHAEL KENT**

Class Representative

- v -

**(1) APPLE INC.**

**(2) APPLE DISTRIBUTION INTERNATIONAL LTD**

**(Apple)**

Defendants

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**ORDER**

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**UPON** the Tribunal's Collective Proceedings Order of 29 June 2022 (the **Collective Proceedings Order**; and the claims thereby combined, the **Claims**)

**AND UPON** the Tribunal hearing the Claims at a hearing held between 13 January and 28 February 2025

**AND UPON** the Tribunal handing down its judgment of 23 October 2025 ([2025] CAT 67) (the **Judgment**)

**AND UPON** the Class Representative's application dated 30 October 2025 for: (i) permission to amend paragraph 20 of the Re-Re-Re-Amended Claim Form dated 22 November 2024, and subsequently amend paragraph 6(g) of the Collective Proceedings Order; and (ii) approval of the draft Notice of Amended Class Definition (the **Amendment Application**)

**AND UPON** hearing the submissions of counsel for the parties on 13 November 2025

**AND UPON** the Tribunal handing down its ruling of 13 January 2026 ([2026] CAT 1), which refused the Amendment Application and indicated that if the Class Representative wished to pursue an amendment to extend the claims of existing class members up until the date of judgment, she would need to make a fresh application

**AND UPON** the Class Representative's further application dated 13 February 2026 for permission to amend paragraph 141 of the Re-Re-Re-Amended Claim Form dated 22 November 2024 (the **Further Amendment Application**) to extend the duration of the claims of existing class members from 15 November 2024 up to the date of the Judgment

**AND UPON** the Tribunal handing down its ruling of 15 July 2026 ([2026] CAT 57), which refused the Further Amendment Application

**AND UPON** the definitions of the following terms given in the Judgment's Glossary of Key Terms applying for the purposes of this Order:

- **1998 Act**
- **App Store**
- **Commission**
- **Developers**
- **iOS app distribution restrictions**
- **iOS app distribution services**
- **iOS app distribution services market**
- **iOS in-app payment restrictions**
- **iOS in-app payment services**
- **iOS in-app payment services market**

**AND UPON** the following further definitions applying for the purposes of this Order:

- **Class** has the meaning given at paragraphs 5 and 6 of the Collective Proceedings Order as amended

- **Relevant Period** means the period between 1 October 2015 and 15 November 2024

**AND UPON** the parties having agreed the terms of the various Orders set out below

**IT IS DECLARED THAT:**

1. Apple has infringed Chapter II of the 1998 Act, for the whole of the Relevant Period, and Article 102 TFEU, from the commencement of the Relevant Period until 31 December 2020, in abusing its dominant positions by foreclosing competition in the iOS app distribution services market and the iOS in-app payment services market by the means of the iOS app distribution restrictions and the iOS in-app payment restrictions.
2. Apple has infringed Chapter II of the 1998 Act, for the whole of the Relevant Period, and Article 102 TFEU, from the commencement of the Relevant Period until 31 December 2020, in abusing its dominant position by tying its payment services for iOS in-app payments to the App Store.
3. Apple has infringed Chapter II of the 1998 Act, for the whole of the Relevant Period, and Article 102 TFEU, from the commencement of the Relevant Period until 31 December 2020, in abusing its dominant positions by charging excessive and unfair prices in the form of the Commission which it charges Developers for iOS app distribution services and iOS in-app payment services.

**AND IT IS ORDERED THAT:**

**Disposal**

4. The Claims are allowed.

**Amendment Application and Further Amendment Application**

5. The Amendment Application is refused.
6. The Further Amendment Application is refused.

**Damages and interest**

7. Apple shall pay the Class Representative (a) damages pursuant to section 47C of the 1998 Act and (b) simple interest on those damages for the whole of the Relevant Period,

calculated on a daily basis at a rate of 8% per annum, in an amount to be determined in accordance with the following procedure:

- (a) Within 14 days of the date of this Order, the Class Representative shall provide Apple with details of the total amount of damages and interest claimed by the Class Representative, together with the calculations underlying the figure claimed.
  - (b) Within 14 days of the date the Class Representative provides the calculations at 7(a) above, Apple shall raise any objection to the total amount of damages and interest claimed by the Class Representative. Insofar as Apple proposes a revised amount, Apple will provide responsive calculations underlying that figure.
  - (c) Within 14 days of the date Apple provides the responsive calculations at 7(b) above, the Class Representative shall respond to any objections raised by Apple. Insofar as the Class Representative proposes a revised amount of damages and interest, the Class Representative will provide the calculations underlying that figure.
  - (d) The Tribunal shall determine the final award of damages payable by Apple to the Class Representative on the papers, unless it considers that an oral hearing is necessary.
  - (e) Apple shall make payment of such sums determined pursuant to sub-paragraph (d) above within 14 days of: (i) the Tribunal's determination under 7(d) above; (ii) the final dismissal of any application by Apple for permission to appeal; or (iii) the final dismissal of any appeal(s) by Apple, whichever is later. The Class Representative shall have liberty to apply for a further order requiring Apple to make payment of such sums determined pursuant to paragraph 7(d) above on a date prior to the date set out in the previous sentence.
8. The parties have liberty to apply to the Tribunal to vary the time periods specified in paragraph 7 above.

9. Any judgment debt arising in relation to the sums determined under paragraph 7 of this Order (by way of damages and interest) shall carry daily interest at the per annum rate stipulated by section 17 of the Judgments Act 1838 (as amended) from the date of Judgment until the date of final payment.

### **Distribution to the Class**

10. Within two months of: (i) this Order; (ii) the final dismissal of any application by Apple for permission to appeal; or (iii) the final dismissal of any appeal(s) by Apple, whichever is later, the Class Representative shall write to the Tribunal to propose next steps in relation to the distribution to the Class of the sums awarded under paragraph 5 of this Order.

### **Costs**

11. Apple shall pay the Class Representative's costs of and incidental to the Claims (subject to any orders for costs that have already been made in respect of any stage of the proceedings) on the standard basis, to be the subject of detailed assessment if not agreed. For the avoidance of doubt, this shall include all costs of and incidental to the hearing on 13 November 2025, save for those of and incidental to the Amendment Application.
12. The Class Representative shall pay Apple's costs of the Amendment Application and the Further Amendment Application on the standard basis. Any application for the assessment of those costs is to be filed by 4pm on 29 July 2026, and any responsive submissions are to be filed by 4pm on 5 August 2026, with a limit of four pages for each.
13. The costs payable by each party shall be set off against each other. The question of any payment on account of the costs referred to in this section is deferred until after the conclusion of the appeals process in respect of the Judgment.

Ben Tidswell

William Bishop

Tim Frazer

Made: 27 July 2026

Drawn: 27 July 2026