IN THE COMPETITION APPEAL TRIBUNAL

Case No: 1720/7/7/25

BETWEEN:

OR BROOK CLASS REPRESENTATIVE LIMITED

Class Representative

- and -

(1) ALPHABET INC
(2) GOOGLE LLC
(3) GOOGLE IRELAND LIMITED
(4) GOOGLE UK LIMITED
(5) GOOGLE ASIA PACIFIC PTE LIMITED
(6) GOOGLE COMMERCE LIMITED

Defendants

ORDER

UPON the Class Representative's application by letter dated 22 September 2026 for permission to amend paragraphs 11 and 50 of its Collective Proceedings Claim Form in respect of continuing loss (the **Amendment Application**)

AND UPON the parties asking the Tribunal to determine the Amendment Application on the papers

AND UPON reading the parties' written submissions on the Amendment Application

AND UPON the Tribunal's ruling on the Amendment Application dated 26 November 2026 ([2026] CAT 89)

IT IS ORDERED THAT:

1. The Class Representative has permission to amend paragraphs 11 and 50 of its Collective Proceedings Claim Form in the terms set out in the schedule to this order.

2. The Class Representative shall file and serve its amended Collective Proceedings Claim Form, incorporating the amendments permitted by paragraph 1 above, by 4pm on 30 November 2026.

3. The costs of the Amendment Application shall be costs in the case.

4. There be liberty to apply.

The Honourable Mr Justice Picken
Chair of the Competition Appeal Tribunal

Made: 26 November 2026
Drawn: 26 November 2026

SCHEDULE

Paragraphs 11 and 50 of the Collective Proceedings Claim Form, as amended pursuant to paragraph 1 of this Order, state as follows:

> "11. The CR brings these proceedings on an opt-out basis on behalf of all UK-domiciled advertisers that have, during the 'Relevant Period' (defined below), paid for search advertising on Google search (either directly or via an advertising agency). The CR seeks damages on behalf of those class members, including after the end of the 'Relevant Period' in respect of ongoing loss, until the earlier of: (i) the cessation of the relevant infringement's harmful effects; and (ii) the date fixed for the assessment of damages. The CR estimates that there are approximately 250,000 such advertisers.[2] Any recovery will be confined to claims and losses that are not barred by the limitation or prescription regime applicable to the relevant class member.[2A]
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> …
>
> 50. In the present case, the class is identifiable because it is possible objectively to determine whether a person is a CM by reference to the Class Definition: a person is a CM if, and only if, that person paid for advertising (either directly or via a media agency) on Google search within the Relevant Period (albeit that the CR seeks damages in relation to losses suffered after the end of the 'Relevant Period', down to the earlier of: (i) the cessation of the relevant infringement's harmful effects; and (ii) the date fixed for the assessment of damages)."

[2] The first expert report of Professor Scott Morton ("**Scott Morton 1**") at [775] et seq.

[2A] Where the law of England and Wales applies, limitation prima facie bars the remedy in respect of: (i) follow-on claims that arose from 1 October 2015 to 15 April 2019 (being six years before the date of the claim form); and (ii) standalone claims that arose on or before 15 April 2019 (being six years before the date of the claim form). Where the law of Northern Ireland applies, the position is materially the same. Where the law of Scotland applies, the position is materially different. Under sections 6, 11(1) and 11(2) of the Prescription and Limitation (Scotland) Act 1973, prescription does not begin to run until the relevant act or omission has ceased. The pleaded single and continuous infringement has not ceased, or at least had not ceased five years before the commencement of these proceedings. The prescription period has therefore not expired in relation to claims governed by Scots law arising on or after 1 October 2015. The position is in each case subject to any suspension of the limitation period under each of the applicable laws, which will need to be resolved following disclosure and exchange of factual evidence.