



COMPETITION APPEAL TRIBUNAL

**NOTICE OF A CLAIM FOR DAMAGES UNDER
SECTION 47A OF THE COMPETITION ACT 1998**

CASE NO. 1244/5/7/15

Pursuant to rule 33(8) of the Competition Appeal Tribunal Rules 2015 (S.I. 2015 No. 1648), the Registrar gives notice of the receipt of a claim for damages (the “Claim”) on 18 December 2015, under section 47A of the Competition Act 1998, by (1) Peugeot Citroën Automobiles UK Ltd; (2) Peugeot Motor Company plc; (3) Peugeot Citroën Automobiles SA; (4) Société Européenne de Véhicules Légers du Nord Sevel Nord; (5) Automóviles Citroën España SA; (6) Peugeot Citroën Automóviles España SA; (7) Peugeot España SA; (8) PCA Slovakia s.r.o.; and (9) Saab Automobile AB Konkursbo (together, the “Claimants”) against (1) Pilkington Group Limited; and (2) Pilkington Automotive Limited (together, the “Defendants”). The Claimants are represented by Hausfeld & Co. LLP, 12 Gough Square, London EC4A 3DW (Reference: Andrew Bullion).

The Claim arises from a decision of the European Commission (the “Commission”) (Case COMP/39.125 – Carglass) of 12 November 2008 relating to a proceeding under Article 81 of the EC Treaty (now Article 101 of the Treaty on the Functioning of the European Union) and Article 53 of the Agreement on the European Economic Area (the “EEA Agreement”) (“the Decision”).

In the Decision, the Commission found that, from 10 March 1998 until 3 September 2002, the Defendants had infringed Article 81 of the EC Treaty and Article 53 of the EEA Agreement by participating in a complex of agreements and/or concerted practices in the automotive glass sector in the EEA (Article 1 of the Decision) (the “Infringement”).

According to the Claim, the Claimants made purchases of car glass from the Defendants and others that were, by virtue of the Infringement, subject to an overcharge and thereby suffered loss.

The Claimants claim:

- (1) Damages, as particularised in more detail in the Claim.
- (2) Interest.
- (3) Such further or other relief as may be appropriate.

It is stated in the claim form that the parties to the Claim are already in litigation in the Chancery Division of the High Court (Claim No. HC-2014-001072), and that the Claimants bring this Claim in the Tribunal in order to protect their position as regards limitation, insofar as it affects the follow-on element of their existing claims. The Claim is limited to those claims which could have been brought under section 47A prior to that section’s amendment by the Consumer Rights Act 2015. The Claimants rely on the Claim only if and to the extent that their existing claims in the High Court are time-barred under any applicable law of limitation (which is denied).

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 post at Victoria House, Bloomsbury Place, London WC1A 2EB, or by telephone (020 7979 7979), fax (020 7979 7978) or email (registry@catribunal.org.uk). Please quote the case number mentioned above in all communications.

Charles Dhanowa OBE, QC (Hon)
Registrar

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