



**IN THE COMPETITION
APPEAL TRIBUNAL**

Case No: 1248/5/7/16

- (1) PEUGEOT S.A.
- (2) PEUGEOT CITROEN AUTOMOBILES S.A.
- (3) PEUGEOT MOTOR COMPANY PLC
- (4) PEUGEOT CITROEN MECANIKES DU NORD-OUEST S.N.C.
- (5) PEUGEOT CITROEN MULHOUSE S.N.C.
- (6) PEUGEOT CITROEN MECANIQUE DU GRAND-EST S.N.C.
- (7) PEUGEOT CITROEN PIECES DE RECHANGE S.N.C.
- (8) SOCIETE EUROPEENNE DE VEHICULES LEGERS DU NORD
SEVEL NORD S.A.
- (9) PEUGEOT CITROEN SOCHAUX S.N.C.
- (10) FRANCAISE DE MECANIQUE S.N.C.
- (11) PEUGEOT CITROEN POISSY S.N.C.
- (12) PEUGEOT CITROEN AULNAY S.N.C.
- (13) PEUGEOT CITROEN RENNES S.N.C.
- (14) PEUGEOT CITROEN AUTOMOVILES ESPANA S.A.
- (15) PEUGEOT CESKA REPUBLIKA S.R.O.
- (16) PCA SLOVAKIA S.R.O.
- (17) CITROEN ITALIA S.P.A.
- (18) PEUGEOT CITROEN DEUTSCHLAND GMBH
- (19) GIE PSA TRESORERIE

Claimants

-v-

- (1) NSK LTD.
- (2) NSK EUROPE LTD.
- (3) NTN CORPORATION
- (4) JTEKT CORPORATION
- (5) AB SKF
- (6) INA-HOLDING SCHAEFFLER GMBH & CO. KG
- (7) SCHAEFFLER HOLDING GMBH & CO. KG
- (8) SCHAEFFLER AG

Defendants

ORDER

UPON reading the Claimants' application made on 25 February 2016 under rule 31(2) of the Competition Appeal Tribunal Rules 2015 (the "Tribunal Rules") for

permission to serve the claim outside the jurisdiction on the First, Third and Fourth Defendants

IT IS ORDERED THAT:

1. The Claimants be permitted to serve the First, Third and Fourth Defendants outside the jurisdiction;
2. This order is without prejudice to the rights of those Defendants to apply pursuant to rule 34 of the Tribunal Rules to dispute the jurisdiction.

REASONS

1. The Claimants are serving the proceedings on the Second and Fifth to Eighth Defendants, for which no permission is required.
2. It appears very likely that, as the Claimants submit, the proceedings will be treated as taking place in England and Wales under rule 18 of the Tribunal Rules.
3. I am satisfied that the First, Third and Fourth Defendants are necessary and proper parties to the claim being pursued against the Second and Fifth to Eighth Defendants in that: (a) the claim is a follow-on claim for damages caused by infringement of EU competition law following the European Commission's decision of 19 March 2014 (Bearings) addressed to all these Defendants; and (b) the Claimants allege that all the Defendants are jointly and severally liable for any loss that the Claimants have suffered.
4. It would be extremely burdensome and costly if the Claimants, domiciled in the EU, had to bring separate proceedings against the First, Third and Fourth Defendants in Japan.

The Honourable Mr Justice Roth
President of the Competition Appeal Tribunal

Made: 3 March 2016
Drawn: 4 March 2016