



COMPETITION APPEAL TRIBUNAL

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

CASE NO. 1248/5/7/16

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 25 February 2016, under section 47A of the Competition Act 1998, by (1) Peugeot S.A. (2) Peugeot Citroen Automobiles S.A.; (3) Peugeot Motor Company PLC; (4) Peugeot Citroen Mecaniques 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 Mechanique 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 (together, the “Claimants”) against (1) NSK Ltd.; (2) NSK Europe Ltd.; (3) NTN Corporation; (4) JTEKT Corporation; (5) AB SKF; (6) Schaeffler Holding GmbH & Co. KG; and (8) Schaeffler AG (together, the “Defendants”). The Claimants are represented by Hausfeld & Co. LLP, 12 Gough Square, London EC4A 3DW (Reference: Anna Morfey).

The Claim arises from a decision of the European Commission (the “Commission”) (Case COMP/39922 – Bearings) of 19 March 2014 relating to a proceeding under Article 101 of the Treaty on the Functioning of the European Union (“TFEU”) and Article 53 of the Agreement on the European Economic Area (the “EEA Agreement”) (“the Decision”).

In the Decision, the Commission found that, from 4 April 2004 until 25 July 2011, the Defendants had infringed Article 101 TFEU and Article 53 of the EEA Agreement by participating in anticompetitive practices covering the entire EEA with a view of restricting price competition in the sector of bearings sold to car, truck and automotive component manufacturers (Article 1 of the Decision) (the “Infringement”).

The Claimants all form part of the Peugeot S.A. group of companies. According to the Claim, all the Claimants except the First and Nineteenth Claimants were at all material times original equipment manufacturers (“OEMs”). The OEMs made purchases of automotive bearings from the Defendants and others that were, by virtue of the Infringement, subject to an overcharge and thereby suffered loss. The First and Nineteenth Claimants were at all material times in the business *inter alia* of raising finance for the Peugeot S.A. group of companies. They seek compensation reflecting their loss of profits and/or their increased costs of borrowing arising from the Infringement.

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.

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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