



**IN THE COMPETITION
APPEAL TRIBUNAL**

Case No: 1429/4/12/21

BETWEEN:

META PLATFORMS, INC.

Applicant

- v -

COMPETITION AND MARKETS AUTHORITY

Respondent

- and -

**(1) APPLICATION DEVELOPERS ALLIANCE
(2) THE COMPUTER & COMMUNICATIONS INDUSTRY ASSOCIATION
(3) PRIVACY INTERNATIONAL**

Interveners

REASONED ORDER

UPON the Tribunal's judgment issued on 14 June 2022 ([2022] CAT 26)

AND UPON the Order of the President of 14 July 2022 made by consent quashing the Respondent's decision contained in a report dated 30 November 2021 (the "Decision") and remitting it to the Respondent for reconsideration

AND UPON reading the parties' submissions on costs filed on 19 July 2022

IT IS ORDERED THAT:

The Applicant shall pay 65% of the Respondent's costs, assessed on the standard basis, to be subject to a detailed assessment, if not agreed.

REASONS

1. The issues before the Tribunal fell, broadly, into two halves. First, the question whether the Decision was rational. In regard to this question, the Respondent was successful.
2. Secondly, the question as to procedural propriety, in terms of the failure to disclose certain material during the consultation process. In this regard, the Applicant was successful, albeit not quite on the basis contended for. The Tribunal reached no view on the significance or otherwise of the material not disclosed to the Applicant's team and did not consider it necessary to consider either party's detailed submissions in this regard.
3. This costs order reflects the success of the Respondent on the first question, and is higher than it would otherwise be because the Applicant's success on the second question turned on a point of law and not a detailed parsing of the excisions from the Decision.

Sir Marcus Smith

President of the Competition Appeal Tribunal

Made: 21 July 2022

Drawn: 21 July 2022