



## COMPETITION APPEAL TRIBUNAL

### NOTICE OF APPEAL UNDER SECTION 46 OF THE COMPETITION ACT 1998

#### CASE NO 1021/1/1/03

Pursuant to rule 15 of the Competition Appeal Tribunal Rules 2003 (“the Rules”), the Registrar gives notice of the receipt of an appeal, dated 1 October 2003, under section 46 of the Competition Act 1998 (“the Act”) by Allsports Limited (“the appellant”) in respect of a decision (CP/0871/01) taken by the Office of Fair Trading (“the OFT”) and notified to the appellant on 1 August 2003, (“the Decision”).

The text of the Decision can be found on the OFT website at [www.of.gov.uk](http://www.of.gov.uk)

In the Decision the OFT found that a number of sportswear retailers (including the appellant), Manchester United plc, the Football Association Ltd and Umbro Holdings Ltd, had entered into price-fixing agreements or taken part in concerted practices in relation to replica football kit that infringed section 2 (‘the Chapter I prohibition’) of the Act. For its infringement of the Chapter I prohibition the OFT imposed a penalty of £1.35 million on the appellant.

The appellant appeals against the Decision:

- insofar as it decides that the appellant has infringed the Chapter I prohibition. The appellant denies that it entered into the alleged price fixing agreements or took part in the alleged concerted practices found by the OFT to be infringements of the Chapter I prohibition; and
- insofar as it imposes a penalty on the appellant, and against the amount of the penalty imposed on the appellant on the basis that it is excessive.

The appellant seeks the following relief from the Tribunal:

- an order setting aside the Decision insofar as it decides that the appellant has infringed the Chapter I prohibition; or, in the alternative
- an order revoking the penalty imposed upon the appellant or reducing the amount of that penalty; and, in any event
- an order that the appellant’s costs of this appeal be paid by the OFT.

Any person who considers that he has sufficient interest in the outcome of the proceedings may make a request for permission to intervene in the proceedings, in accordance with rule 16 of the Rules.

A request for permission to intervene should be sent to the Registrar, The Competition Appeal Tribunal, New Court, 48 Carey Street, London WC2A 3BZ, so that it is received within **three weeks** of the publication of this notice.

Further details concerning the procedures of the Competition Appeal Tribunal can be found on its website at [www.catribunal.org.uk](http://www.catribunal.org.uk). Alternatively the Tribunal Registry can be contacted by post at the above address or by telephone (020 7271 0395) or fax (020 7271 0281). Please quote the case number mentioned above in all communications.

*Charles Dhanowa*

Registrar  
8 October 2003