# 2026 UK Competition Collective Actions Report

PREPARED BY BRATTLE'S EUROPEAN COMPETITION TEAM

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# Executive Summary

Our *2026 UK Competition Collective Actions Report* highlights that 2025 was a year of retrenchment for the UK's competition collective action regime. The report – the latest in our series of *UK Competition Collective Actions Reports* – analyses developments relating to Collective Proceedings Orders (CPOs) and cases before the Competition Appeal Tribunal (Tribunal) in 2025.[1]

This report considers, in turn:

- The characteristics of the set of collective action cases in 2025 compared to those seen in previous years;
- the timelines as cases progressed through the various stages (registration, CPO hearing, CPO judgment, trial(s), and final judgment), as well as outcomes in terms of settlements or damages awards; and
- market participants, with a focus on law-firm and funder activity.

In 2025, for the first time since 2020, fewer CPO applications were filed before the Tribunal than the year before.

2025 is also notable for the first-ever Tribunal judgment awarding damages in the *Kent v. Apple* case (referred to in this report as *Apple App Store – Consumers (Kent)*). This represents a significant milestone in the development of UK competition collective proceedings, nearly a decade after Schedule 8 of the Consumer Rights Act 2015 amended the scope for private actions under the Competition Act 1998 (CA98).

A key question going forward is, therefore, whether the *Apple App Store – Consumers (Kent)* decision will serve to reinvigorate funders' willingness to invest in future cases. The Supreme Court's *PACCAR* decision, as well as other decisions from the Tribunal – perhaps most notably in *BT (Le Patourel)* – undoubtedly made clear to potential funders that there were risks in investing capital into UK competition collective actions.

Indeed, prior to the *Apple App Store – Consumers (Kent)* judgment, funders had been actively signalling that their focus was shifting outside the UK. This reflected a view that the returns on the significant capital invested in UK competition collective actions did not – on the basis of previously achieved judgments and settlements – appear to justify the level of investment being made.

More specifically, the data from distinct cases registered in 2025 indicate that:

### The collective actions regime faced a significant retrenchment.

Counting CPO applications registered in the same year with the same class representative and targeting the same infringement as a single case, a total of five distinct cases were filed with the Tribunal in 2025. This represents a marked decline from the 11 distinct cases registered in 2024 and the nine in each of 2022 and 2023. The data therefore confirms that 2025 was the first year since 2020 in which new filings declined materially.

### There was a continued concentration in the tech sector.

All five cases registered in 2025 were brought against large technology firms. Four of the five cases registered in 2025 included allegations of abuse of dominance in the tech sector, reflecting a continued significant focus on digital markets. Specifically, cases were launched against Google, Amazon, and Microsoft. The fifth distinct case registered in 2025 involved an allegation of an anticompetitive agreement between Amazon and Apple.

In terms of the progress of cases and their outcomes in 2025:

### Certification remained common overall, but 2025 saw a comparatively higher incidence of refusals.

In 2025, the Tribunal handed down 10 certification decisions. Of these, six resulted in certification. However, four applications were refused at the certification stage in 2025, including: (i) *Amazon and Apple (Riefa)*, which has since been re-filed under a new class representative, Justin Le Patourel; (ii)/(iii) *Water and Sewage Companies (Roberts)* and the related *Thames*

1 The report was written in February 2026, and all data is accurate as of February 9, 2026. Any events between writing and publication are not included within the scope of this report.

*Water (Roberts)* claim;[2] and (iv) *PRS (Rowntree)*. Over the 2016–2025 period, allowing for partial certification and treating carriage disputes as successful if at least one of the applications is certified, the overall success rate for CPO applications stands at around 85% as of the end of 2025.[3]

- A total of 34 out of the 49 distinct applications registered at the Tribunal had reached a CPO judgment: 26 were fully certified; one – *Cryptocurrency (BSV Claims)* – was partly certified;[4] five claims were not certified (including the four mentioned above, alongside *Pride Mobility (Gibson)*, which was withdrawn following the CPO judgment); and two claims, (*Trucks (UKTC)* and *Forex (O'Higgins)*) lost in carriage disputes that were jointly decided with the CPO judgment.
- Of the 15 claims that have not received a CPO judgment to date, nine have not yet had a CPO hearing, three have had a CPO hearing and await the CPO judgment, and two claims – *Amazon Marketplace – Consumers (Hunter)* and *Amazon Marketplace – Sellers (BIRA Trading)* – lost in carriage disputes which took place before the CPO hearing. Lastly, the class representative withdrew one claim prior to the CPO hearing, as the Tribunal overturned the CMA decision on which it was based (*BGL (Home Insurance Consumer Action)*).

## The year saw the first-ever award of damages in a UK competition collective proceeding.

In *Apple App Store – Consumers (Kent)*, the Tribunal found that Apple had abused its dominant position by (i) foreclosing competition in the iOS app distribution services market and the iOS in-app payment services market by means of the iOS app distribution restrictions and the iOS in-app payment restrictions; (ii) tying its payment services for iOS in-app payments to the App Store; and (iii) charging excessive and unfair prices in the form of the commission it charges developers for iOS app distribution services and iOS in-app payment services. The Tribunal therefore found in favour of the class representative, with the judgment reported to imply a damages award of up to £1.5 billion. Apple has announced its intention to appeal the Tribunal's decision.

## A number of Collective Settlement Approval Orders (CSAOs) were approved to resolve cases in 2025.

In particular:

- In *Mastercard (Merricks)*, the Tribunal approved a £200 million collective settlement in May 2025 (with distribution structured into separate "pots" for class members and funder return).
- In *Maritime Car Carriers (McLaren)*, a further settlement was reached in October 2025 with the remaining defendants and was approved by the Tribunal in January 2026, bringing the total approved settlements in that case to £92.75 million across four settlement decisions.

## The speed of the Tribunal's processes has improved relative to the early years of the regime, although the picture for the 2025 cohort of cases is not yet observable because no claims registered in 2025 reached the stage of having a CPO hearing.

Across all claims registered between 2016 and 2025, the average time from registration to the first CPO hearing was 14 months, with an additional four months, on average, before a CPO judgment was issued. Post-CPO phases are typically markedly longer. In particular, the time from CPO judgment to main trial was, on average, 31 months, with CAT judgments handed down on average in 13 months after trial.

2 These are counted separately in the dataset, as the *Thames Water* claim was registered in a different year than the other claims.

3 Calculated as: Numerator (successful CPO judgments): 27 = 26 (fully certified) + 1 (partially certified). Denominator (CPO judgments excluding lost carriage disputes): 32 = 34 (claims to reach judgment) – 2 (lost a carriage dispute).

4 It was only partly certified after the claim associated with one separately identified sub-class was struck out, reducing the alleged damages significantly.

And in terms of market participant activity levels:

### Despite moderated filing in 2025, a number of new claimant firms registered their first claims.

On the claimant side, three firms – KP Law, Stephenson Harwood, and Stewarts Law – filed their first collective actions, indicating continued gradual diversification of representation. More established claimant firms, such as Hausfeld and Geradin Partners, expanded their portfolios during the year, each adding one additional case. On the defence side, representation remained concentrated among a relatively small group of firms. Notably, Simmons & Simmons had the most instructions for the claims launched in 2025, having received mandates from Google for the two competing *Google Ads* claims.

### Funder activity declined relative to 2024.

Three identified funders supported new claims in 2025, each of which had funded claims in previous years – Harbour Litigation Funding with two, then Burford Capital and Asertis with one each – so that no new funders entered the market in 2025. The other additional claim was funded by a member of the Association of Litigation Funders whose identity has not yet been disclosed.

# Introduction

The Consumer Rights Act (2015) amended the CA98 to provide a statutory basis for opt-out collective proceedings in UK competition matters. Strikingly, competition law remains the only area of law where there is currently such a statutory basis for opt-out collective proceedings in the UK.

While the government launched a call for evidence on the opt-out collective action regime in 2025, to which several industry participants responded by indicating the regime should be extended to other areas of law, the call for evidence was cast in terms that suggested it is relatively unlikely at this moment in time. Specifically, the government was "focused on economic growth, and a regime that is proportionate and focused on returns to consumers where they are due is good for growth and investment".[5]

## Case Characteristics

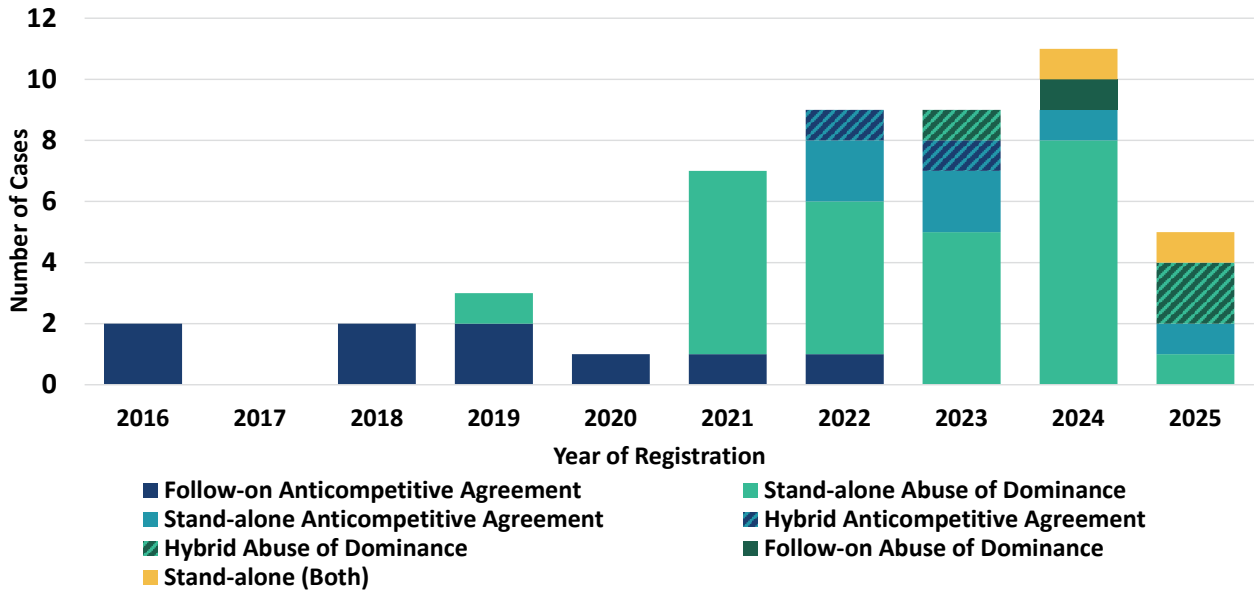
In this section of the report, we consider:

- case numbers by case type;
- cases by sector;
- CMA interventions;
- respondents' home jurisdictions; and
- the alleged value of claims and estimated class sizes.

## Number of Claims by Case Type

Figure 1 reports that five new distinct claims were registered in 2025, which represents a marked decrease in the flow of new cases in comparison with the previous four years. It also reveals that four of the five new claims in 2025 included an abuse of dominance claim, and two included an anticompetitive agreement claim (one claim alleged both).[6] None of the cases were strictly follow-on, with three of the five being stand-alone and the two Google cases being brought on a hybrid basis, following on in part from Case AT.40099, the EU Commission's Android decision, dated 18 July 2018 (the "Android Decision").

**FIGURE 1: NUMBER OF DISTINCT CPO APPLICATIONS BY CLAIM TYPE, 2016–2025**




**Notes:** [1] Multiple CPOs are combined as one distinct case where a CPO is registered in the same year, by the same class representative, targeting the same or similar infringement.
[2] Includes all cases registered on or before 31 December 2025, based on Tribunal data as of 9 February 2026.
[3] "Both" refers to claims alleging both anticompetitive agreement and abuse of dominance. "Hybrid" refers to claims brought on both a stand-alone and follow-on basis.

5 See the UK government call for evidence on the opt-out collective actions regime, available from: https://www.gov.uk/government/calls-for-evidence/opt-out-collective-actions-regime-review-call-for-evidence/opt-out-collective-actions-regime-review-call-for-evidence.

6 *Amazon Marketplace – Consumers (ACSO)* alleged both types. The other four claims from 2025 include *Google Ads (Brook)*, *Google Ads (Kaye)*, and *Microsoft (Wolfson)*, all of which are abuse claims, and *Amazon and Apple (Le Patourel)*.

## Cases by Sector

Figure 2 shows the claims by their Standard Industrial Classification (SIC) code sectors.

In total, three distinct applications for collective actions were registered in markets with SIC Sector Code Description of 'Information and Communication' (the "I&C Sector"), namely the two cases launched against Google and the *Microsoft (Wolfson)* case. Two additional applications were recorded in the Wholesale and Retail Trade SIC code designation – *Amazon Marketplace – Consumers (ACSO)* and *Amazon and Apple (Le Patourel)*. Thus, all the cases recorded in 2025 were taken against tech firms.

The claims registered in 2025 included:

- ***Amazon Marketplace – Consumers (ACSO)***: A claim for damages alleging that Amazon's price parity policies applicable to third-party sellers on its UK marketplace violated competition law by preventing or strongly discouraging third-party sellers from offering lower prices on other e-commerce platforms or their own websites, even where the costs of selling through those channels were lower.[7] Potential class members (PCMs) are customers who purchased at least one product from a third-party seller on Amazon's UK-based e-commerce platform at Amazon.co.uk within the six years before 14 August 2025.[8]
- ***Google Ads (Kaye)*** and ***Google Ads (Brook)***: These are two competing claims against Google, alleging abuse of dominance resulting in (i) supra-competitive prices for search advertising; and (ii) reduced value derived from search advertising – each to the detriment of UK-domiciled advertisers. A carriage dispute hearing took place in October 2025 (with judgment pending to date). Each proposed claim is partly stand-alone and partly a follow-on claim based on the Android Decision.[9] Table 1 describes the major differences in the scope of the two competing claims (as filed).

7 The claim alleges the price parity policies are a violation of Articles 101 and 102 of the Treaty on the Functioning of the European Union ("TFEU") prior to 31 December 2020 and/or Sections 2 and 18 of the analogous provisions of the Competition Act 1998.

8 Five years to the extent that the claims are governed by Scots law.

9 That decision found that Google had abused its dominant position in the worldwide market (excluding China) for Android app stores and in national markets for general search services through four forms of conduct: (i) tying the Google Search app with the Play store; (ii) tying Google Chrome with the Play store and Google Search app; (iii) licensing the Play store and Google Search app conditional on obligations in Anti-Fragmentation Agreements (AFAs) that prevented Android forks that might otherwise constitute a credible competitive threat to Google; and (iv) portfolio-based revenue-sharing payments to original equipment manufacturers (OEMs) and mobile network operators (MNOs) on condition that they pre-installed no competing general search service on any device within an agreed portfolio.

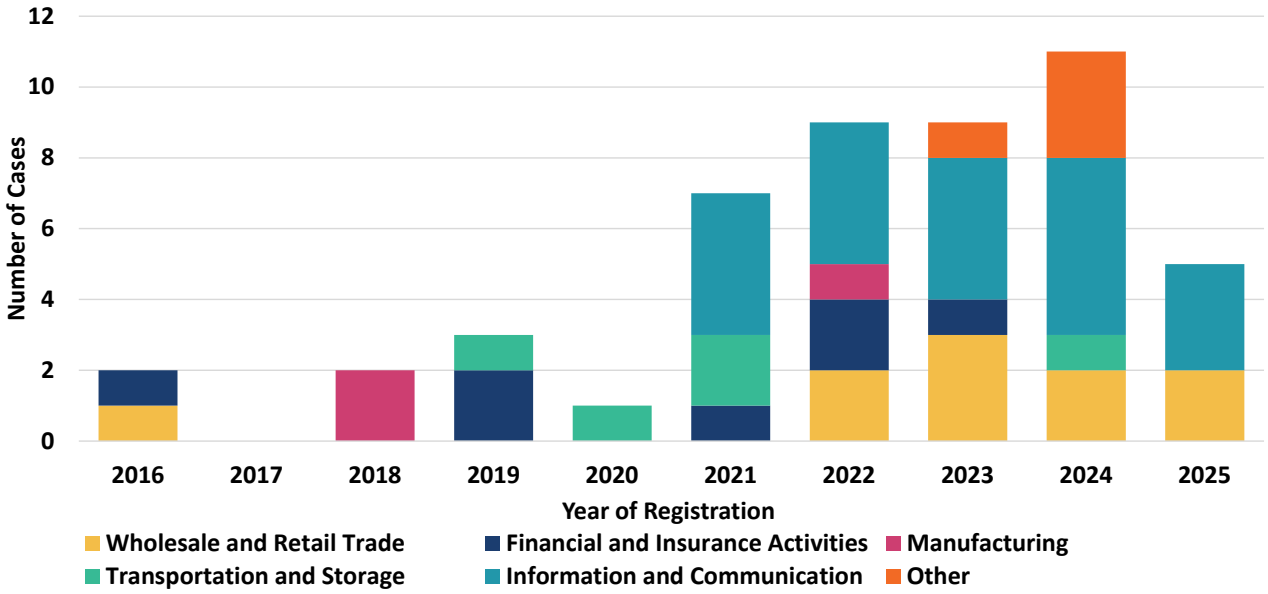
**TABLE 1: DIFFERENCES IN THE SCOPE OF THE KAYE AND BROOK CLAIMS AGAINST GOOGLE**

| Allegations | *Google Ads (Kaye)* | *Google Ads (Brook)* |
|---|---|---|
| Exclusionary Abuse: Follow-on | Alleges the abuses identified by the European Commission in its Android Decision | Alleges the abuses identified by the European Commission in its Android Decision. |
| Exclusionary Abuse: Stand-alone | Within general search services: Google and Apple are alleged to have entered into an anticompetitive agreement, the Information Services Agreements (ISAs), by which Google became the default internet search provider on Apple's devices (i.e., iPhones, iPads, and Macs). The facts and matters underlying this claim are said to amount to: (i) unlawful exclusionary behaviour; and/or (ii) a naked restriction (as referred to in the Draft Guidelines on the Application of Article 102 TFEU) and constitute a breach by Google of Article 102 TFEU, Article 54 EEA, and the Chapter II prohibition. | Within general search services: Alleges Google has excluded competitors from general search markets by paying monetary incentives to developers in exchange for a requirement that developers make Google Search the pre-set default search engine on their browsers. Such agreements include ISAs, but there are agreements with other browser developers as well, such as Mozilla and Opera.<br><br>Refusal to introduce (or delay the introduction of) functions that were introduced on Google's advertising management tool (known as Search Ads 360 or "SA360") – which can be used to manage advertising across a range of advertising providers – in relation to Microsoft's rival offering in search, Bing. It is alleged that this has restricted advertisers' use of multiple search/advertising platforms (known as "multi-homing"). |
| Exploitative Abuse | Alleges that Google imposed excessive and unfair prices for the display of text ads and product listing ads (PLAs) – image-based search ads – on Google's search engine results pages (SERPs) on all devices, including personal computers, laptops, and mobile devices in the UK. | |
| Proposed Class Members | Advertisers who paid Google (directly or through intermediaries) for the placement of advertisements on SERPs targeted at users in the UK (i.e., the claim is not restricted to UK-domiciled advertisers). | All UK-domiciled advertisers who, during the relevant period, paid for search advertising services provided by Google (whether they purchased directly or via a media agency). |
| Proposed Class Period | 1 January 2011 and the date of filing of the claim, which is 27 May 2025. | 1 January 2011 to 15 April 2025. |

**Notes:** Summaries of Collective Proceeding Claim Form for each case. Available from https://www.catribunal.org.uk/cases/17207725-or-brook-class-representative-limited (Brook) and https://www.catribunal.org.uk/cases/17337725-mr-roger-kaye-kc (Kaye).

- ***Microsoft (Wolfson)***: This claim alleges that since at least 1 October 2015, Microsoft has: (i) had a dominant position in one or more of the markets for personal computer operating systems, personal computer productivity suites, and/or Microsoft client access licences; and (ii) abused its dominant position by engaging in a course of conduct that had the purpose or effect of limiting the number of pre-owned perpetual licences (POLs) that became available for sale, thereby undermining the competitive threat posed by sales of POLs to its new licences. The products in question are versions and editions of Windows, Office, and client access licences. The strategy to limit the availability of POLs is alleged to include:
  - (a) the negotiation and conclusion of contractual terms with certain UK customers pursuant to which those customers were given discounts on their new subscription licences that either expressly prevented or impeded those customers from offering for sale the perpetual licences that they would no longer require; and
  - (b) other conduct aimed at dissuading at least Microsoft's enterprise customers from selling surplus perpetual licences to third parties.
- ***Amazon and Apple (Le Patourel)***: The proposed claim accuses Amazon and Apple of entering into unlawful anticompetitive agreements that restricted third parties from reselling Apple and Beats products on Amazon.[10] [11] The claim alleges that, as a result, consumers paid inflated prices for those products when buying them from UK retailers – whether online (including through apps) or in physical stores – outside of a mobile provider contract, from 31 October 2018 up to when the claim was filed. The class representative notes that the conduct at issue has been the subject of regulatory proceedings in Italy and Spain and is under investigation by the German competition authority. Notably, a similar claim was brought in 2023 by Professor Christine Riefa, a consumer law expert, but the Tribunal declined to permit that claim to proceed to trial for reasons that did not have to do with the substance of the allegations.

**FIGURE 2: NUMBER OF CPO APPLICATIONS BY SECTOR, 2016–2025**




**Notes:** [1] Multiple CPOs are combined as one distinct case where a CPO is registered in the same year, by the same class representative, targeting the same or similar infringement.
[2] Data reflect cases registered on or before 31 December 2025 (as of 9 February 2026).
[3] "Other" includes Water Services (i.e., water supply, sewerage, waste management, and remediation activities); Arts, Entertainment, and Recreation; and Agriculture, Forestry, and Fishing.
[4] Amazon Marketplace claims are classified under Wholesale and Retail Trade.

10 At the date of writing, there is no summary available on the Tribunal website, but information is available from the claim webpage, https://www.ukappleamazonclaim.co.uk/.

11 According to the solicitor's website, all of Apple's electronic products are included within the claim, including iPhones, iPads, iMacs, MacBooks, Apple TVs, HomePods, Apple Watches, iPods, AirPods, and EarPods; Beats wired and wireless headphones and earphones; and ancillary devices such as chargers, keyboards, mice, etc. Purchases of Apple products as part of mobile service provider operator contracts are not included. https://www.hausfeld.com/en-gb/news/amazon-and-apple-face-fresh-900-million-uk-legal-action-alleging-unlawful-collusion-around-apple-products.

## CMA Interventions

As the UK's collective action regime has developed, the CMA has become active in shaping the development of competition law through its ability to make submissions in private litigation in front of the Tribunal.[12] The CMA states that "[p]rivate actions raise legal and policy issues that shape the development of competition law". As a result, they use their intervention powers "to influence, in the public interest, the development of the law".[13]

In 2025, the CMA gave notice of its intention to intervene in two collective actions, *Google Search (Stopford)* and *Google App Store – Developers (Rodger)*.

While the CMA has historically engaged with collective actions primarily by issuing intervention notices after the cases are certified, one intervention notice in 2025 was served pre-CPO hearing, and the other afterwards. Specifically, the Tribunal's CPO judgment in *Google Search (Stopford)* was issued in November 2024, and the CMA issued its notice to intervene afterwards, in February 2025. By contrast, in *Google App Store – Developers (Rodger)*, the CMA issued its notice to intervene in April 2025, shortly after the Tribunal's CPO hearing in March 2025 and well before the Tribunal's judgment on the CPO application was handed down in August 2025.

## Respondents' Home Jurisdictions

Enforcement actions sometimes involve respondent firms whose home jurisdictions are outside the UK. As the size of fines, damages awards, and settlements has grown, a concern occasionally expressed is that competition investigations may be perceived as a tool of trade policy – or, put differently, a mechanism by which the profits of overseas-headquartered companies are effectively taxed via fines and damages awards.

Such attempted criticism has historically been firmly rejected by agencies and courts, noting that – as a matter of fact – the obligations imposed by UK competition law do not depend on a respondent's home jurisdiction. Moreover, in relation to collective actions in particular, (i) the Tribunal cannot choose its own caseload – it must evaluate any registered case on its merits by applying the appropriate legal tests;[14] and (ii) the Tribunal can make cost awards against the class representative if the case is found not to have merit under the UK's 'loser pays' principle.

If anticompetitive conduct caused harm to the UK economy, competition law allows both punishment (to deter future conduct) and redress for those harmed. The objective is that firms – wherever headquartered – found to have infringed competition law are held responsible for the harm caused to UK consumers and markets.

In this section, we discuss the evidence regarding respondents' home jurisdictions for each case type. By their nature, cases alleging damages from anticompetitive agreements (e.g., cartel cases) often involve multiple firms. In contrast, in abuse of dominance cases, typically a single firm is alleged to have engaged in anticompetitive conduct, and, as a result, there are typically fewer named parties in such cases.

Throughout this section, the list of respondent firms, and hence their home jurisdictions, may sometimes differ from the entities formally named on the claim form. The reason is that we record the ultimate parent company at (or around) the date of registration, grouping entities together where appropriate. In doing so, we classify respondents by the headquarters of their parent company, even where the claim was procedurally served on a UK entity or branch of that group.[15]

12 Rule 50(2) of The Competition Appeal Tribunal Rules 2015 states: "The CMA may submit written observations to the Tribunal on issues relating to the application of Article 101 or 102 of the TFEU or Chapter I or II of Part 1 of the 1998 Act and, with the permission of the Tribunal, submit oral observations to the Tribunal". That is to say, the CMA is permitted to make written observations even without the permission of the Tribunal, but must acquire the permission of the Tribunal to make oral observations.

13 Further details on the CMA's role in private litigation can be found at: https://www.gov.uk/government/publications/competition-law-court-proceedings-serving-documents-on-the-cma/service-of-documents-on-the-cma-in-court-proceedings-relating-to-competition-law.

14 For both UK and non-UK firms it is critically important that competition decisions are taken in a manner that properly protects respondents' rights of defence and appeal. Doing so improves the quality of decision making and provides reassurance for investors.

15 Specifically, the term "respondent's home jurisdiction" is used to refer to the ultimate parent company of the relevant legal entity listed in the proceedings, not the specific subsidiary or corporate vehicle listed as a respondent in the claim. The former was identified using company websites (or in some instances news articles on mergers and acquisitions) and finding the "home" or "head" office listed there. For example, in the claim *Car Dealer Commissions (Taylor)*, the claim form against MotoNovo Finance featured three UK entities: MotoNovo Finance Limited, FirstRand Bank Limited, and Aldermore Group PLC. However, since FirstRand is the ultimate parent company of all three of these entities, they are grouped under FirstRand in Table 2 and its home jurisdiction was identified as South Africa.

## Anticompetitive Agreement Claims

The two stand-alone anticompetitive agreement claims in 2025 that involved allegations of anticompetitive agreements concerned technology companies headquartered in the United States. *Amazon and Apple (Le Patourel)* alleges the agreement between Amazon and Apple is an anticompetitive agreement. *Amazon Marketplace – Consumers (ACSO)* alleges that Amazon's price-parity policies – which apply to third-party sellers – constitute anticompetitive agreements (and abuses of dominance).[16] The former is the only case involving more than one group of companies.

**TABLE 2: ANTICOMPETITIVE AGREEMENT CLAIMS BY RESPONDENT AND HEAD OFFICE, 2016–2025**

| Year [A] | Case Name [B] | # of Respondents [C] | Respondents [D] | Head Office [E] |
|---|---|---|---|---|
| **2025** | Amazon and Apple (Le Patourel) | 2 | Amazon, Apple | United States |
| **2024** | Salmon Farms (Waterside Class) | 4 | Mowi, Grieg, Salmar, Austevoll Seafood | Norway |
| **2023** | Casio Musical Products (Sciallis) | 1 | Casio | Japan |
| | Car Dealer Commissions (Taylor) | 3 | Santander,[a] Lloyds,[b] FirstRand[c] | Spain,[a] United Kingdom,[b] South Africa[d] |
| | Amazon and Apple (Riefa) | 2 | Amazon, Apple | United States |
| **2022** | Power Cables (Spottiswoode) | 3 | Nexans,[a] NKT,[b] Prysmian[c] | France,[a] Denmark,[b] Italy[c] |
| | Visa and Mastercard (CICC) | 2 | Visa, Mastercard | United States |
| | Cryptocurrency (BSV Claims) | 4 | Bittylicious,[a] Payward,[b] ShapeShift,[c] Binance[d] | United Kingdom,[a] United States,[b] Switzerland,[c] Malta[d] |
| | Musical Equipment (Sciallis) | 4 | Fender,[a] Korg, Roland, Yamaha[b] | United States,[a] Japan[b] |
| **2021** | BGL (Home Insurance Consumer Action) | 1 | BGL | United Kingdom |
| **2020** | Maritime Car Carriers (McLaren) | 6 | Mitsui O.S.K Lines, Nissan Motor, K Line, NYK Line,[a] Wallenius Wilhelmsen,[b] CSAV[c] | Japan,[a] Norway,[b] Chile[c] |
| **2019** | Forex (O'Higgins) | 5 | Barclays, RBS,[a] Citigroup, JP Morgan Chase,[b] UBS[c] | United Kingdom,[a] United States,[b] Switzerland[c] |
| | Forex (Evans) | 6 | Barclays, RBS,[a] Citigroup, JP Morgan Chase,[b] Mitsubishi UFJ Financial,[c] UBS[d] | United Kingdom,[a] United States,[b] Japan,[c] Switzerland[d] |
| **2018** | Trucks (UKTC) | 3 | Fiat Chrysler,[a] CNH,[b] Daimler[c] | Netherlands,[a] United Kingdom,[b] Germany[c] |
| | Trucks (RHA) | 4 | Volkswagen,[a] Fiat Chrysler,[b] CNH,[c] PACCAR[d] | Germany,[a] Netherlands,[b] United Kingdom,[c] United States[d] |
| **2016** | Pride Mobility (Gibson) | 1 | Pride Mobility | United States |
| | Mastercard (Merricks) | 1 | Mastercard | United States |

**Notes:** [1] Multiple CPOs are combined as one distinct case where a CPO is registered in the same year, by the same class representative, targeting the same or similar infringement.
[2] Data reflect cases registered on or before 31 December 2025 (as of 9 February 2026).
[3] Respondents are classified by ultimate parent company and headquarters location.
[4] Superscript letters in columns [D] and [E] indicate the matching between respondents and their respective head office locations.

16 *Amazon Marketplace – Consumers (ACSO)* is displayed in Table 3.

## Abuse of Dominance Claims

In 2025, the four abuse of dominance cases registered involved respondents headquartered in the United States (Amazon, Google, and Microsoft).

It is worth pausing to note that abuse of dominance claims do not necessarily involve only a single firm. While these cases typically focus on unilateral conduct by an individual firm alleged to have abused its market power, there are cases in our dataset where multiple respondents are listed (albeit not in 2025). There are three reasons for this:

- A dominant firm can be a joint venture between several undertakings, each of which may be listed as a respondent. For example, the *Boundary Fares – SW & SE (Gutmann)*, *Boundary Fares TSGN (Gutmann)*, and *Govia Thameslink Railway (Boyle)* claims named multiple firms due to the joint venture structure of UK railway operators.
- Although so far unusual, an abuse of dominance claim can be brought in relation to a situation where there is collective dominance. This is, in particular, an aspect of the case in *Mobile Network Operators – Handsets (Gutmann)*, where one theory of harm alleges that the three major telecoms operators hold a collectively dominant position.[17]
- The way a distinct case is defined in this report – wherein CPO applications that are registered in the same year, with the same class representative, and targeting the same basic infringement are counted only once – can mean that different geographies introduce different dominant firms. For example, within *Water and Sewage Companies (Roberts)*, there are five named respondents, reflecting the regional monopoly structure of the UK water industry: each water and sewage company operates within a designated geographic area of the UK.

17 These operators include VodafoneThree, BT/EE, and Virgin Media O2. Five respondents are listed for this claim, since Virgin Media O2 has two parent companies (because of the joint venture between Telefonica and Liberty Global) as does VodafoneThree (following the merger between Vodafone and CK Hutchison).

**TABLE 3: ABUSE OF DOMINANCE CLAIMS BY RESPONDENT AND HEAD OFFICE, 2016–2025**

| Year [A] | Case Name [B] | # of Respondents [C] | Respondents [D] | Head Office [E] |
|---|---|---|---|---|
| **2025** | Google Ads (Brook) | 1 | Alphabet | United States |
| | Google Ads (Kaye) | 1 | Alphabet | United States |
| | Amazon Marketplace - Consumers (ACSO) | 1 | Amazon | United States |
| | Microsoft (Wolfson) | 1 | Microsoft | United States |
| **2024** | PRS (Rowntree) | 1 | PRS | United Kingdom |
| | Thames Water (Roberts) | 1 | Kemble Water | United Kingdom |
| | Royal Mail (Bulk Mail Claim) | 1 | International Distributions Services | United Kingdom |
| | Valve (Shotbolt) | 1 | Valve | United States |
| | Amazon Marketplace - Sellers (BIRA Trading) | 1 | Amazon | United States |
| | Amazon Marketplace - Sellers (Stephan) | 1 | Amazon | United States |
| | Google App Store - Developers (Rodger) | 1 | Alphabet | United States |
| | Apple iCloud (Consumers' Association) | 1 | Apple | United States |
| | Microsoft (Stasi) | 1 | Microsoft | United States |
| | Motorola (Spottiswoode) | 1 | Motorola Solutions | United States |
| **2023** | Google Ad Tech (Arthur) | 1 | Alphabet | United States |
| | Amazon Marketplace - Consumers (Hammond) | 1 | Amazon | United States |
| | Apple App Store - Developers (Ennis) | 1 | Apple | United States |
| | Water and Sewage Companies (Roberts) | 5 | Severn Trent Water, United Utilities, Kelda, Anglian Water Group,[a] CK Hutchison[b] | United Kingdom,[a] Hong Kong[b] |
| | Google Search (Stopford) | 1 | Alphabet | United States |
| | Mobile Network Operators - Handsets (Gutmann) | 5 | Vodafone, BT, Liberty Global,[a] CK Hutchison,[b] Telefonica[c] | United Kingdom,[a] Hong Kong,[b] Spain[c] |
| **2022** | Meta (Gormsen) | 1 | Meta | United States |
| | Apple iPhones (Gutmann) | 1 | Apple | United States |
| | Sony (Neill) | 1 | Sony | Japan |
| | Amazon Marketplace - Consumers (Hunter) | 1 | Amazon | United States |
| | Google Ad Tech (Pollack) | 1 | Alphabet | United States |
| **2021** | BT (Le Patourel) | 1 | BT | United Kingdom |
| | Qualcomm (Consumers' Association) | 1 | Qualcomm | United States |
| | Apple App Store - Consumers (Kent) | 1 | Apple | United States |
| | Govia Thameslink Railway (Boyle) | 2 | The Go-Ahead Group,[a] Keolis[b] | United Kingdom,[a] France[b] |
| | Google App Store - Consumers (Coll) | 1 | Alphabet | United States |
| | Boundary Fares TSGN (Gutmann) | 2 | The Go-Ahead Group,[a] Keolis[b] | United Kingdom,[a] France[b] |
| **2019** | Boundary Fares - SW & SE (Gutmann) | 5 | The Go-Ahead Group, FirstGroup, Stagecoach,[a] Keolis,[b] MTR Corporation[c] | United Kingdom,[a] France,[b] Hong Kong[c] |

**Notes:** [1] Multiple CPOs are combined as one distinct case where a CPO is registered in the same year, by the same class representative, targeting the same or similar infringement.
[2] Data reflect cases registered on or before 31 December 2025 (as of 9 February 2026).
[3] Respondents are classified by ultimate parent company and headquarters location.
[4] Superscript letters in columns [D] and [E] indicate the matching between respondents and their respective head office locations.

## The Alleged Value of Claims and Estimated Class Size

This section examines how the (i) alleged value of claims and (ii) the estimated sizes of affected classes have evolved since the regime began. In discussing these two measures of the 'size' of a claim, we highlight differences between infringement types and the changes we observe over time as the collective action regime has matured.

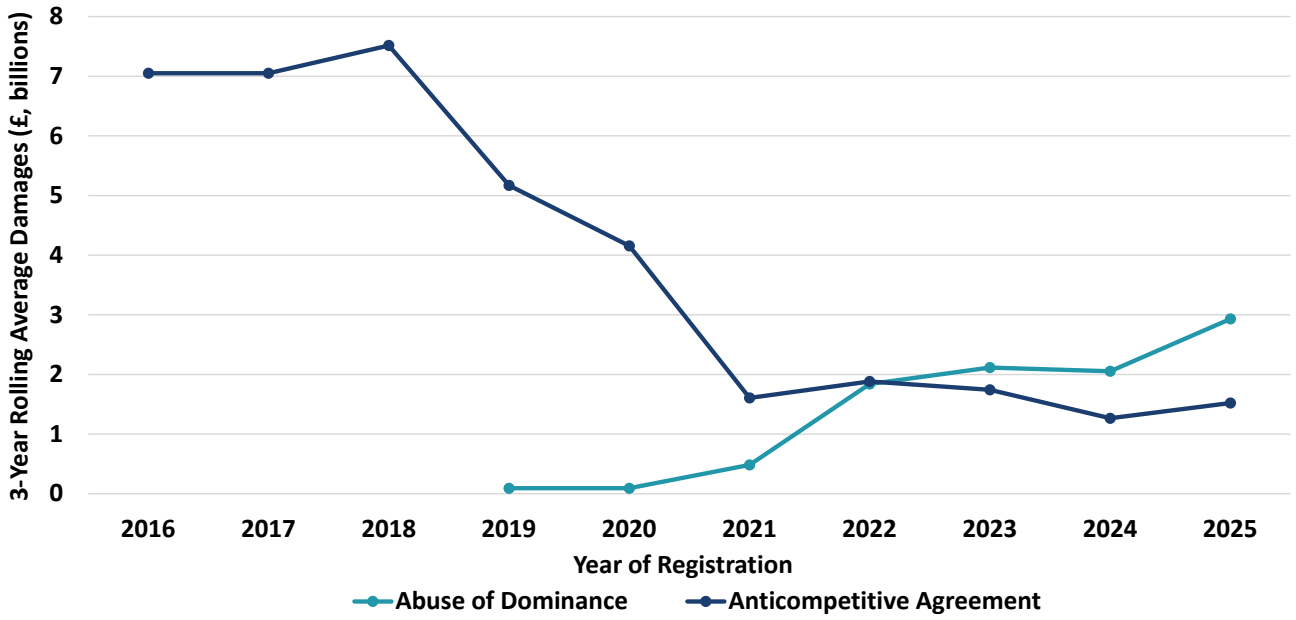
### Alleged Value of Claims

Throughout this section, it is important to note that the damages figures represent only the damages alleged by the class representative; they are not amounts that have actually been paid out by defendants. With one exception, the amounts actually awarded as damages so far have been (i) far smaller and (ii) all occurred as a result of settlement approval orders.

The exception, however, is significant, as the Tribunal made its first award of damages following a trial in Apple *App Store – Consumers (Kent)* in 2025 (this decision is discussed further below). While the Tribunal has not yet calculated an exact damages figure following its judgment, indications suggest damages could be up to £1,500 million.[18] Interestingly, this would place the award at the upper end of the claimant's estimated range at the time the case was registered in 2021 (£621 million–£1,691 million, including interest).

In terms of alleged damages, Figure 3 presents a 3-year rolling average of damages claims for both abuse of dominance and anticompetitive agreement claims – i.e., the rolling average in 2025 reports what the average damages claim was valued at between 2023 and 2025. It shows that, early in the collective actions regime, anticompetitive agreement claims had particularly high estimated damages. This was the result of claims like *Mastercard (Merricks)*, initially estimated at £14.1 billion, and *Trucks (UKTC)* at £13.0 billion. Since then, such claims have fallen in claimed value to between £1 and £2 billion, as shown from 2021 to 2025. Conversely, abuse of dominance claims initially had low averages, but this has consistently increased since the first abuse claim in 2019. As of 2025, the rolling average for an abuse of dominance claim had risen to near £3.0 billion.

**FIGURE 3: 3-YEAR ROLLING AVERAGE OF ALLEGED DAMAGES BY INFRINGEMENT TYPE, 2016–2025**




**Notes:** [1] Multiple CPOs are combined as one distinct case where a CPO is registered in the same year, by the same class representative, targeting the same or similar infringement.
[2] Data reflect cases registered on or before 31 December 2025 (as of 9 February 2026).
[3] Damages figures reflect amounts alleged by class representatives and may include interest where specified. Where a range is provided, the midpoint is used.
[4] Information on the value of estimated damages is not always available in the public domain. These cases include: *Govia Thameslink Railway (Boyle)*, *BGL (Home Insurance Consumer Action)*, *Musical Equipment (Sciallis)*, *Casio Musical Products (Sciallis)*, and *Visa and Mastercard (CICC)*.

18 An article Chris Vallance at BBC News indicates damages "up to £1.5bn", see https://www.bbc.co.uk/news/articles/cgkzg3mkgx6o; and a post by King's College London indicates "losses of around £1.5 billion", see https://www.kcl.ac.uk/news/dr-rachael-kent-wins-historic-case-against-apple-in-1.5-billion-collective-action.

This increase in 2025 is primarily a result of the now-largest-ever claim for preliminary damages – *Google Ads (Kaye)* – in which the class representative estimated a total claim value of £20.2 billion. Other claims with large preliminary damages estimates from 2025 include: (i) *Amazon Marketplace – Consumers (ACSO)* at £5.6 billion; and (ii) *Google Ads (Brook)* at £5.0 billion. The notable difference of over £15.0 billion between the two competing *Google Ads* claims may, in part, reflect the following:

- Dr. Or Brook's claim has only 250,000 advertisers, all of whom are UK-domiciled. By contrast, Roger Kaye's claim features around 1 million advertisers who paid for ads targeted at UK users.
- Mr. Kaye's claim includes a stand-alone excessive pricing claim applying across all search ad formats, whereas Dr. Brook does not plead any exploitative abuse, and any pricing effects are framed as consequences of exclusionary conduct.

For the one stand-alone anticompetitive agreement case filed in 2025, *Amazon and Apple (Le Patourel)* had an estimated claim value of £0.9 billion, which is similar to the average over previous years.

## Estimated Class Size

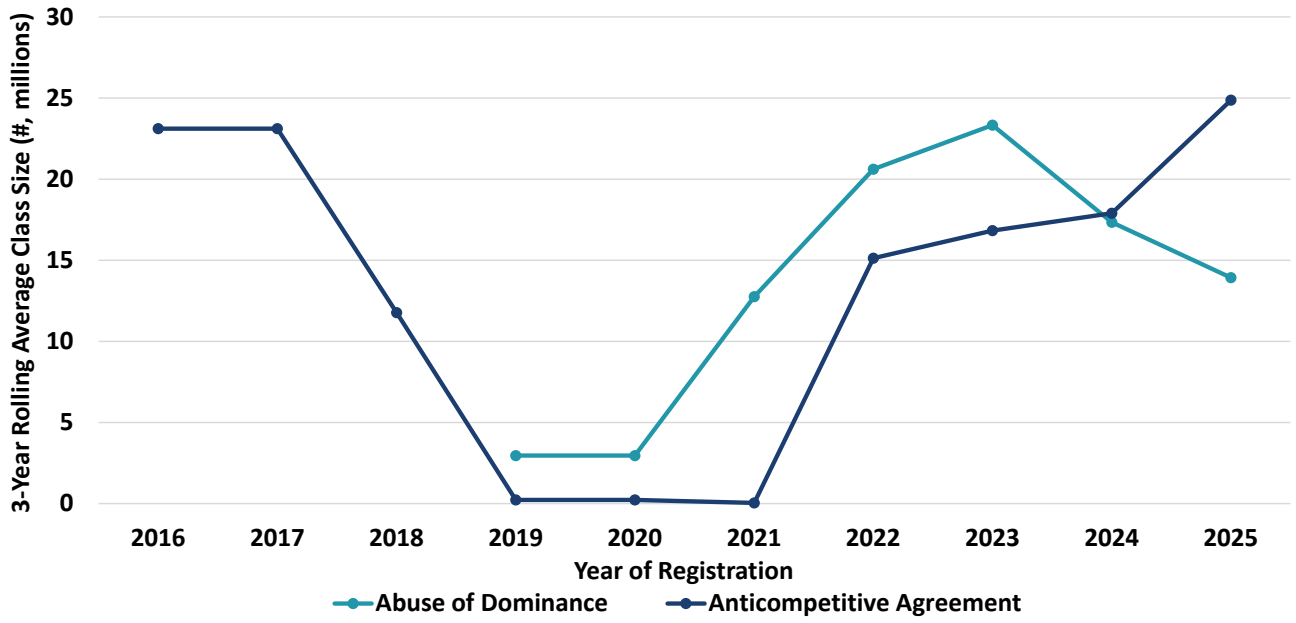
There is significant variation in estimated class sizes across cases. One reason is that collective action claims include both "Consumer" and "Non-Consumer" claims.

- "Consumer" claims, across 2016–2025, included on average an estimated 24 million class members.
- "Non-Consumer" claims over the same period included, on average, only an estimated 0.20 million class members.

As the number of "Non-Consumer" abuse of dominance claims has recently risen relative to "Consumer" claims, the difference in class sizes has meant that average class sizes have fallen for these types of claims (see Figure 4).

The estimated class size for claims registered in 2025 similarly exhibits wide variation. For example, the *Amazon Marketplace – Consumers (ACSO)* claim has an estimated class size of just over 47 million class members. In comparison, the two *Google Ads* "Non-Consumer" claims have an estimated class size of no more than 1 million. If the allegations were upheld, then, according to the class representatives, each advertiser would be expected to be compensated by around £20,000 in each claim.

**FIGURE 4: 3-YEAR ROLLING AVERAGE OF CLASS SIZE BY INFRINGEMENT TYPE, 2016–2025**




**Notes:** [1] Multiple CPOs are combined as one distinct case where a CPO is registered in the same year, by the same class representative, targeting the same or similar infringement.
[2] Data reflect cases registered on or before 31 December 2025 (as of 9 February 2026).
[3] Class sizes reflect amounts estimated by class representatives. Where a range is provided, the midpoint is used.
[4] Information on the estimated class size is not always available in the public domain. These cases include: *Govia Thameslink Railway (Boyle), BGL (Home Insurance Consumer Action), Musical Equipment (Sciallis), Casio Musical Products (Sciallis), Visa and Mastercard (CICC),* and *Maritime Car Carriers (McLaren).*

# Case Progress and Outcomes

Collective actions typically progress through five key stages: registration, CPO hearing, CPO judgment, main trial, and Tribunal judgment. Figure 5 shows how the claims filed to date are distributed across these milestones and indicates whether each case is ongoing, has been withdrawn, or has reached some form of resolution.

## CPO Judgments

Certification serves an important gatekeeping function, though the data indicate that the majority of applications are ultimately certified. Even so, the certification process serves an important purpose in improving the quality of the applications that proceed to trial and, sometimes, limiting the scope of the claims.

Among the 34 cases that have reached a CPO judgment during the period 2016–2025, 27 of the claims were successful in their application for a CPO (inclusive of partial certifications and the two separately counted consolidated *Google Ad Tech* claims).[19]

In terms of CPO judgments in 2025:

- Six cases – each registered before 2025 – received successful certification judgments in 2025:
  - *Royal Mail (Bulk Mail Claim)*, via a judgment issued in March 2025.
  - *Amazon Marketplace – Consumers (Hammond)* and *Amazon Marketplace – Sellers (Stephan)*, although the defendant has sought permission to appeal the Tribunal's decisions to the Court of Appeal. Notably, in this case, the Tribunal required Mr. Robert Hammond to adopt Professor Andreas Stephan's expert methodology for a part of his claim.[20]
  - *Mobile Network Operators – Handsets (Gutmann)*, although claims for losses arising before 1 October 2015 were struck out.[21]
  - *Google App Store – Developers (Rodger)*, in a judgment handed down in August 2025.
  - *Motorola (Spottiswoode)*, in a judgment handed down in October 2025. Notably, this is the first collective action certified that has been brought on behalf of a public body (the UK government's Home Office).
- Seven claims were unsuccessful in their application for a CPO, whether by loss of carriage dispute at the CPO judgment or through an actual refusal of certification. In 2025, four applications for a CPO were unsuccessful:[22]
  - ***Amazon and Apple (Riefa)***: In January 2025, the Tribunal refused the application for a CPO in this case; however, later in the year, it was subsequently re-registered at the Tribunal, albeit with a different – and experienced – class representative, *Le Patourel*.
  - ***Water and Sewage Companies (Roberts)*** and ***Thames Water (Roberts)***: In March 2025, the Tribunal refused the applications for the CPOs in the *Water and Sewage Companies (Roberts)*, and the related *Thames Water (Roberts)* case,[23] on the grounds that the claims for abuse of dominance in breach of the Chapter II prohibition were excluded by a requirement of the laws associated with the regulatory regime (specifically the Water Industry Act 1991 s. 18(8)).

19 The two Google *Ad Tech* claims brought by Claudio Pollack and Charles Arthur were consolidated into one by the Tribunal in October 2023, prior to the CPO judgment, at the proposal of the parties. Both claims are counted as successful following the certification of the consolidated claim *Google Ad Tech (Ad Tech Collective Actions)* in June 2024.

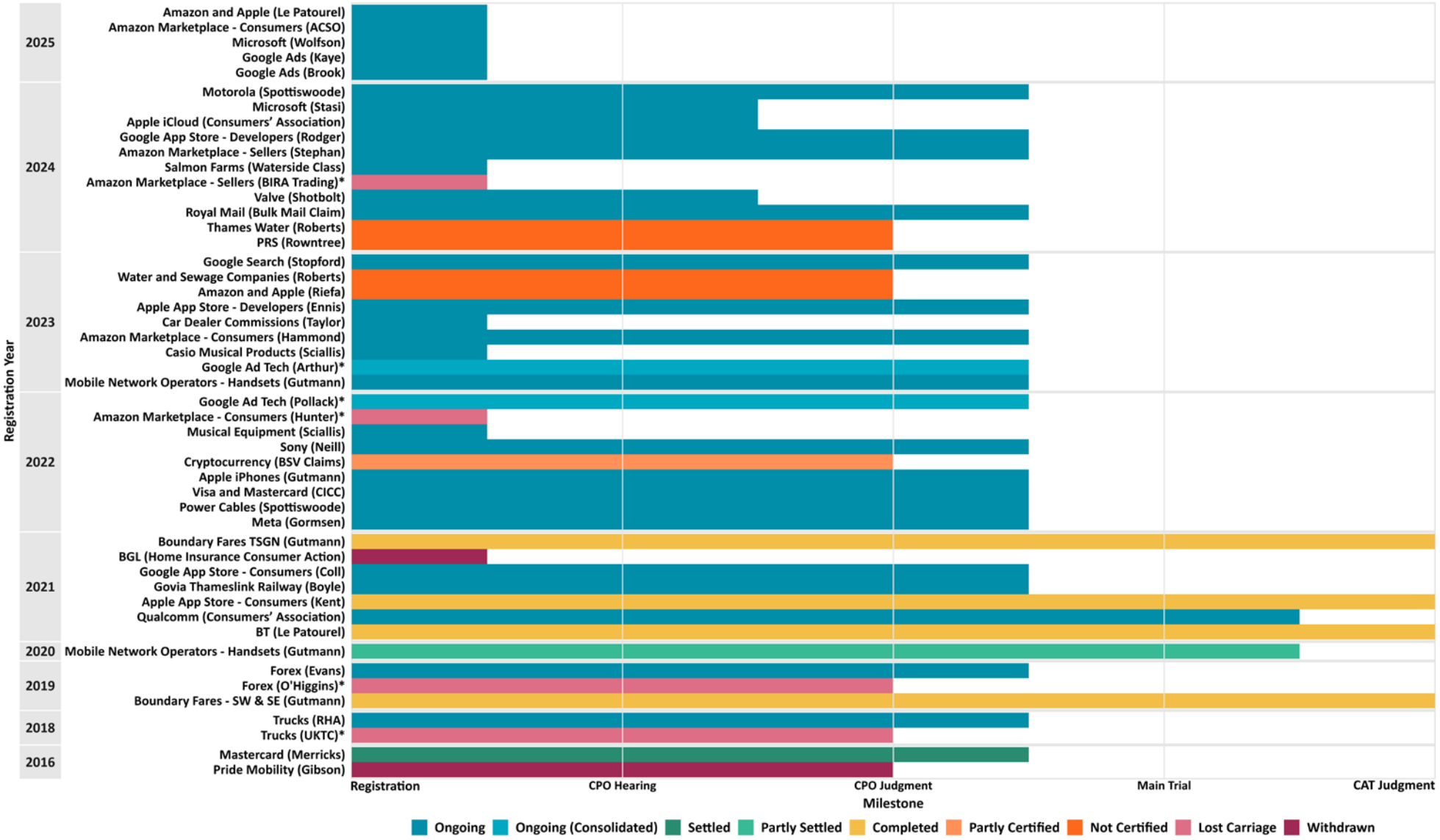
20 Hammond & Stephan (1595 & 1644) - Judgment (Joint CPO) | 24 Jul 2025, paragraph 156(2).

21 *Cryptocurrency (BSV Claims)* was also only partly certified after one sub-class was struck out. Indeed, in that case, the sub-class represented the majority of estimated damages in the claim. with around £9 billion of the c. £10 billion claim being struck out by the Tribunal. The Tribunal's judgment was appealed by the Class Representative, but the appeal was rejected (as was the application for permission to appeal to the Supreme Court in December 2025). For more details, see https://supremecourt.uk/cases/uksc-2025-0120.

22 Other claims, such as *Merricks (Mastercard)* and *Gormsen (Meta)*, have initially failed to be certified, but because of appeals and amendments, the claims were ultimately certified and therefore are not counted as "not certified". The *Water and Sewage Companies (Roberts)* judgment is currently under appeal as of February 2026.

23 These are counted separately in the dataset as the claims were registered in different years.

**FIGURE 5:** CPO APPLICATIONS BY MILESTONE AND OUTCOME, 2016–2025




**Notes:** [1] Multiple CPOs are combined as one distinct case where a CPO is registered in the same year, by the same class representative, targeting the same or similar infringement.
[2] Data reflect cases progress as of 31 December 2025.
[3] The CPO judgment milestone is set at the first CPO judgment.
[4] Claims marked with an asterisk (*) have either been consolidated or have lost in a carriage dispute.

- ***PRS (Rowntree)***: In this case, a stand-alone claim in the Arts, Entertainment, and Recreation sector,[24] the respondent's application for summary judgment and strike out was successful for reasons including: (i) that it was not clear that members of the proposed class had individual claims under competition law;[25] and (ii) that there was not a sufficiently credible or plausible method for assessing damages.[26]

Among the 15 cases that have not yet reached a CPO judgment:

- Five cases that were registered during 2025 all await CPO hearings.
- Four cases registered before 2025 also await CPO hearings. Specifically:
  - *Salmon Farms (Waterside Class)*, launched in mid-2024, was still awaiting its CPO hearing at the date of writing – although it has been scheduled by the Tribunal for March 4, 2026.
  - *Car Dealer Commissions (Taylor)*. At the time of writing, this case is stayed until March 2026 in light of the Financial Conduct Authority's investigation into whether to launch a formal redress scheme that would make awards to individuals who may also be proposed class members.
  - *Musical Equipment (Sciallis)*, launched in *2022* (and the related *Casio Musical Products (Sciallis)* registered the year after), appears to continue to be delayed by the need to service the Collective Proceedings Claim Form outside the jurisdiction on certain respondents (e.g., Casio Computer Co. Limited and Yamaha Corporation, each headquartered in Japan).[27]
- Three cases, all registered in 2024, have had CPO hearings in 2025, but await their CPO judgments. These include: *Valve (Shotbolt), Apple iCloud (Consumers' Association)*, and *Microsoft (Stasi)*.
- Finally, three cases have fallen away due to the unfavourable resolution of a carriage dispute or withdrawal prior to a CPO judgment. Specifically, as of the end of 2025:
  - **Carriage disputes**: *Amazon Marketplace – Consumers (Hunter)* and *Amazon Marketplace – Sellers (BIRA Trading)* lost carriage disputes prior to CPO judgment.[28]
  - **Withdrawals**: The *BGL (Home Insurance Consumer Action)* claim was withdrawn prior to a CPO judgment in December 2022.

24 In this case the potential class representative alleged that the Performing Rights Society (PRS), which collects and distributes royalties relating to the public performance of musical works in respect of which it has been assigned the "performing rights", operated a policy for distributing "black box" royalties (royalties that cannot be attributed to the correct songwriter or publisher) that amounted to an abuse of dominance and/or an anticompetitive agreement. The potential class representative considered that the black box royalties were more likely to be owed to songwriters rather than other PRS members.

25 The Tribunal described: "The proposed class should be crafted to consist of members with individual claims under competition law. The PCR failed to do this because songwriters as a class are not 'owed' Black Box royalties. The fact that one method of distribution may be considered preferable does not, in itself, mean that exercising a choice as to distribution is unfair or abusive. The applications for summary judgment and strike out thus succeed". See Judgment (CPO) | Competition Appeal Tribunal.

26 The Tribunal noted that it "is prima facie unknowable what proportion of Black Box royalties are owed to songwriters or the extent to which these royalties are impacting songwriters more than publishers". See Judgment (CPO) | Competition Appeal Tribunal.

27 All the respondents – Casio, Yamaha, Roland, Korg, and Fender – are based outside of the Tribunal's jurisdiction and, as such, the class representative has had to effect service out of jurisdiction. This appears to have taken some time to achieve.

28 The Tribunal's carriage hearings originally took place alongside the CPO hearing but, more recently, following the Court of Appeal judgment in the foreign exchange case *Forex (Evans)/ (O'Higgins)*, they have also been taken place before the CPO hearing.

## Trials and Tribunal Judgments

In October 2025, the Tribunal handed down three significant judgments following trials:

- *Boundary Fares (Gutmann)*;[29]
- *Apple App Store – Consumers (Kent)*; and
- *Power Cables (Spottiswoode).*

***Boundary Fares (Gutmann)***: These proceedings alleged abuse of dominance related to the practices and arrangements of train operating companies (TOCs) regarding the sale of a particular kind of rail ticket known as a boundary fare.[30]

The Tribunal found, under a maintained assumption that the three TOC defendants each held a dominant position, that none of the conduct alleged against them constituted an abuse of dominance. In particular, the Tribunal considered that the TOCs' actions – such as not always making boundary fares available on ticket vending machines and never making them available online – were motivated by concerns such as fraud prevention rather than being attempts to discourage sales of boundary fares for the TOCs' commercial gain.

***Apple App Store – Consumers (Kent)***: This judgment is undeniably a landmark in the evolution of the regime, as it was the first time the Tribunal found an infringement of competition law in a collective action and therefore determined the level of overcharge suffered by class members.

Specifically, the Tribunal found Apple had abused its dominant position through:

- **Exclusionary abuses**, foreclosing competition in the iOS app distribution services market and the iOS in-app payment services market, including:
  - imposing iOS app distribution restrictions and iOS in-app payment restrictions; and
  - tying its payment services for iOS in-app payments to the App Store.
- **Exploitative abuses**, charging excessive and unfair prices in the form of a commission, which it charges developers for:
  - iOS app distribution services; and
  - iOS in-app payment services.

The Tribunal also found that 50% of the harm from these abuses had been passed on to class members (consumers).

While the Tribunal decided in October 2024 that, on balance, the two cases should proceed independently to avoid a delay to the *Apple App Store – Consumers (Kent)* trial in January 2025, the judgment would appear to have significant implications for the *Apple App Store – Developers (Ennis)* claim given the Tribunal's findings in relation to market definition, dominance, the excessive pricing abuse, overcharge, and a 50% pass-on rate.[31]

***Power Cables (Spottiswoode)***: This judgment concerns the pass-on aspect of the *Power Cables (Spottiswoode)* case, and is referred to as the "ROC issues" judgment.

The Tribunal assumed for the purpose of the trial that there was a 26% overcharge caused by the power cables cartel (the high end of the range estimated by the class representative's expert economist), and considered whether such an overcharge would have been passed

29 Recorded in our dataset as two distinct collective proceedings: *Boundary Fares – SW & SE (Gutmann)* and *Boundary Fares TSGN (Gutmann)* corresponding respectively to the (i) South Eastern rail franchise; (ii) the South Western rail franchise and (iii) the Thameslink, Southern and Great Northern rail franchise. In relation to the *Boundary Fares SW (Gutmann)* case the proceedings against one defendant – Stagecoach – were settled (a collective settlement proceedings order CSAO was issued in 2024).

30 Boundary Fares are a form of extension or add-on ticket sold for use with a Travelcard. On the basis that a valid Travelcard will cover travel on part of the journey which the customer wishes to take, the Boundary Fare covers the balance of the journey from the outer edge of the zone to which the Travelcard applies to the customer's destination. See https://www.catribunal.org.uk/sites/cat/files/2025-10/1304%20Gutmann%20South%20Western%3B%201305%20Gutmann%20South%20Eastern%3B%201425%20Justin%20Gutmann%20v%20Govia%20Thameslink%20-%20Judgment%202025%20CAT64%20171025.pdf, paragraph 16.

31 That said, the Tribunal noted when deciding to keep the trials separate that there was a risk of inconsistent decisions, so that it does not necessarily follow that the Tribunal will make identical findings in a subsequent trial. Moreover, Dr. Rachael Kent had argued against delaying that trial by noting that there are differences between the two cases, including that: (i) the Kent proceedings include claims of exclusionary abuse, and (ii) the geographic scope of the excessive pricing claims is different. See https://www.catribunal.org.uk/sites/cat/files/2024-11/16017723%3B%2014037721Ruling%20%28Case_Management_of_Related_Proceedings%29%208%20Nov%202024.pdf, paragraphs 18 and 29.

on via electricity suppliers to bill-payers (class members) via the UK government's Renewables Obligation (RO) scheme. The RO scheme subsidises electricity generation from renewable sources through the issuance of Renewables Obligation Certificates (ROCs), the costs of which are ultimately passed to consumers through their electricity bills.

In 2010, the UK government awarded each qualifying windfarm two ROCs per megawatt-hour (ROCs/MWh) for 20 years from the date of accreditation. The Tribunal considered whether the number of ROCs/MWh would have been lower in the counterfactual – i.e., if windfarm developers had paid the hypothesised 26% less for their submarine power cables.

On the evidence, the Tribunal found that the government's 2010 decision to grant two ROCs/MWh to offshore wind generators would not have been different. That conclusion implied that there would have been no passing on of any overcharge to class members via the costs associated with the ROC scheme. As a result, this judgment removes a significant proportion of the damages claimed by the class representative.

## Awards and Settlements

As previously discussed, October 2025 saw the Tribunal issue the first-ever damages awards after a trial in *Apple App Store – Consumers (Kent)*. Specifically, the Tribunal found that the level of overcharge suffered by app developers caused by Apple's exclusionary and exploitative abuses of its dominant position should be quantified separately in each affected market:

- iOS app distribution services market as the difference between a commission set at 17.5% and the commission actually charged by Apple for those services; and
- in-app payment services market as the difference between a commission set at 10% and the commission actually charged by Apple for those services.

Moreover, the Tribunal assessed that the rate at which app developers passed on the overcharge to iOS device users was 50% and that the class representative was entitled to interest on those damages at a simple interest rate of 8%.

While the Tribunal did not provide a specific figure for the quantum of damages awarded by the judgment, leaving the parties to do so on the basis of the approach laid out in the judgment in the first instance, the implied damages are believed to be substantial (up to £1.5 billion according to some reports).[32] These figures compare to the original claim, which estimated damages ranging from £0.621 billion to £1.691 billion (including interest).

In terms of settlements in 2025:

- *Mastercard (Merricks)*: In May 2025, against the wishes of the funder (Innsworth) and following its verbal indication in February 2025, the Tribunal found in favour of granting a Collective Settlement Approval Order (CSAO) of £200 million to be split into three pots:[33]
  - A pot of £100 million would be ringfenced for class members who come forward (subject to a cap of £70 per head for claimants). The Tribunal heard evidence that a realistic uptake percentage from a consumer class of this size (approximately 44 million people) would be about 5% (around 2.2 million people).
  - A pot of £45.57 million, ringfenced as a minimum return to the funder based on its costs, fees, and disbursements (net of any recovery by way of adverse costs awards against Mastercard) up to 30 November 2024 as well as an analogous costs, fees, and disbursements incurred, budgeted for, and anticipated in respect of settlement, noticing and distribution under the litigation funding agreement.
  - A pot of the remaining sum of £54.43 million, made available to give the funder its return.
- *Maritime Car Carriers (McLaren)*, which followed on the European Commission's decision in Case AT.40009 – Maritime Car Carriers, a proposed settlement was

32 An article Chris Vallance at BBC News indicates damages "up to £1.5bn", see https://www.bbc.co.uk/news/articles/cgkzg3mkgx6o; and a post by King's College London indicates "losses of around £1.5 billion", see https://www.kcl.ac.uk/news/dr-rachael-kent-wins-historic-case-against-apple-in-1.5-billion-collective-action.

33 See Judgment (CSAO Application) | Competition Appeal Tribunal.

reached in November 2025 between the two remaining defendants in the case[34] and the class representative. This proposed settlement was subsequently approved in a judgment handed down by the Tribunal in January 2026. Strikingly, the settlement with these two defendants was reached only several months after the end of the trial, which occurred between 13 January and 13 March 2025. As Table 4 indicates, several previous settlements had seen the other defendants settle out of the proceedings in advance of the trial.

**TABLE 4: SUMMARY OF SETTLEMENTS IN THE *MARITIME CAR CARRIERS (MCLAREN)* CASE**

| Settlement Decision | Settlement Date | Settlement Amount (including costs) |
|---|---|---|
| Settlement Decision 1 | 6 December 2023 | £1.5 million |
| Settlement Decision 2 | 6 December 2024 | £24.5 million |
| Settlement Decision 3 | 6 December 2024 | £12.75 million |
| Settlement Decision 4 | 15 January 2026 | £54 million |
| **Total** | | **£92.75 million** |

**Notes:** The Tribunal noted that, following disclosure, the class representative's expert's estimate of the overall quantum of the claims against all defendants in the proceedings was in the range of £86.1 -£215.8 million. See 1339/7/7/20 *Mark McLaren Class Representative Limited v MOL (Europe Africa) Ltd and Others* – Judgment (MOL/NYKK Collective Settlement) | 15 Jan 2026, paragraph 3 and Table 2.

## Procedural Timescales

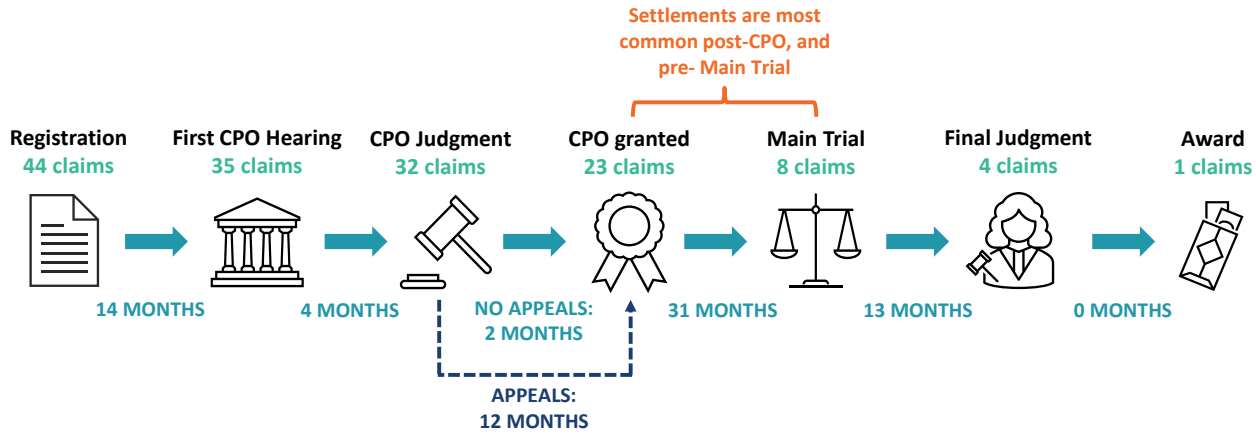
In this section of the report, based on observed claims registered between 2016 and 2025, we report the average time taken between each major milestone in the Tribunal's process as described in Figure 6.

Naturally, the regime has so far had only somewhat limited experience at later stages, meaning that the averages are sometimes based on small samples. Subject to that caveat, these figures are presented as the best available estimates of average durations for each phase of a collective action, to assist those involved in preparing or funding such actions. The results suggest that:

- **Certification Phase**: Progression through the certification phase, from case registration to the granting of a CPO, can involve a substantial period of time:
  - **Step 1**: Specifically, the time from registration to the first CPO hearing has taken 14.1 months on average. The interquartile range – i.e., the spread of the middle 50% of the data (from the 25th to the 75th percentile) – is 6.7 months.
  - **Step 2**: The time from the first CPO hearing to the first CPO judgment is, on average, 3.5 months, with an interquartile range of 4.1 months.
  - **Step 3**: The time from the first CPO judgment to issuing the CPO order has taken an average of 7.3 months. Notably, this timescale is subject to significant variation with an interquartile range of 7.2 months. The variation in durations at this stage can be the result of appeals in relation to the CPO judgment by either the claimant, the defendant,

34 There had previously been settlements with a number of defendants in the case such that the two remaining defendants were MOL and NYKK.

**FIGURE 6: AVERAGE PROCESSING TIMES FOR EACH STAGE OF A COLLECTIVE ACTION CLAIM, 2016–2025**




**Notes:** [1] Multiple CPOs are combined as one distinct case where a CPO is registered in the same year, by the same class representative, targeting the same or similar infringement. However, cases that have lost at carriage dispute, or have been consolidated, are not included.
[2] Data reflect cases registered on or before 31 December 2025 (as of 9 February 2026).
[3] The average processing times reported in this figure are based on the sometimes-small number of claims that have made it to the next stage. Naturally, many claims are awaiting hearings, trials, and judgments, and as such, these are not included in the relevant averages.
[4] Settlements can, in principle, occur at any stage of a collective action claim. However, so far, settlements have most commonly occurred between the date the CPO is issued and the date the main trial begins.
[5] The award given in Apple *App Store – Consumers (Kent)* reflects a processing time of 0 months, as the award was handed down with the final judgment. If the decision is appealed, and the award is revised, or the decision is overturned, then this processing time will change.

or both. Such appeals may add considerable time before a CPO is granted:

- Of the 23 distinct claims that have been granted CPOs by February 2026, 13 have been subject to some form of appeal, while 10 have not.
- The average duration of this stage (CPO judgment to CPO order) is 1.5 months for a non-appealed claim. However, for the 13 claims that have had CPO appeals, the average is approximately 11.7 months. Therefore, on average, CPO appeals can add nearly a year to the processing time of obtaining a CPO.[35]

- **Main Trial Phase**: On average, the period after the CPO has been issued to the main trial has taken 31.4 months. This stage includes a disclosure process as well as preparation and exchange of expert evidence, witness statements, and the trial itself. We use the term "main trial" because there can be preliminary issues trials en route to the main substantive hearing, as happened, for example, in 2025 in *Power Cables (Spottiswoode)*.
- **Post-Main Trial Phase**: On average, the post-trial phase, the period in which the Tribunal prepares its judgment, takes 13.0 months.

Focusing particularly on some of the earlier stages of the case lifecycle where more information is available, the data suggest that the timescales have improved over time, in some instances stabilising after those improvements, so that the initial cases took longer than is typical today.

- Figure 7 shows that the average time between registering a claim at the Tribunal and the first CPO hearing has decreased over time. While the start of the regime was characterised by lengthy delays,[36] the time to CPO hearings took roughly a year for claims registered in more recent years (2021–2024).
- Notably, none of the five cases registered in 2025 had their CPO hearing during the course of last year. That may reflect the smaller total number of cases (if that reduced the scope for one or more simpler cases to reach CPO hearings quickly) and/or the Tribunal's new approach to carriage disputes, adopted after the Court of Appeal

35 There is also significant variation in duration across claims subject to an appeal. For example, the cases with the longest duration for step 3 of the certification phase (i.e., between CPO judgment and order) have so far been: *Mastercard (Merricks)*, which lasted nearly five years (57.9 months), and *Trucks (RHA)*, which lasted more than two years (25.9 months). On the other hand, the *Sony (Neill)* claim took less than 2 months to reach this stage.

36 In early years, processing times were most significantly impacted by the delays associated with the UK Supreme Court's consideration of various aspects of the Tribunal's consideration of the *Mastercard (Merricks)* application for a CPO, including in particular the test for whether an application has met the legal standard required to grant a CPO.

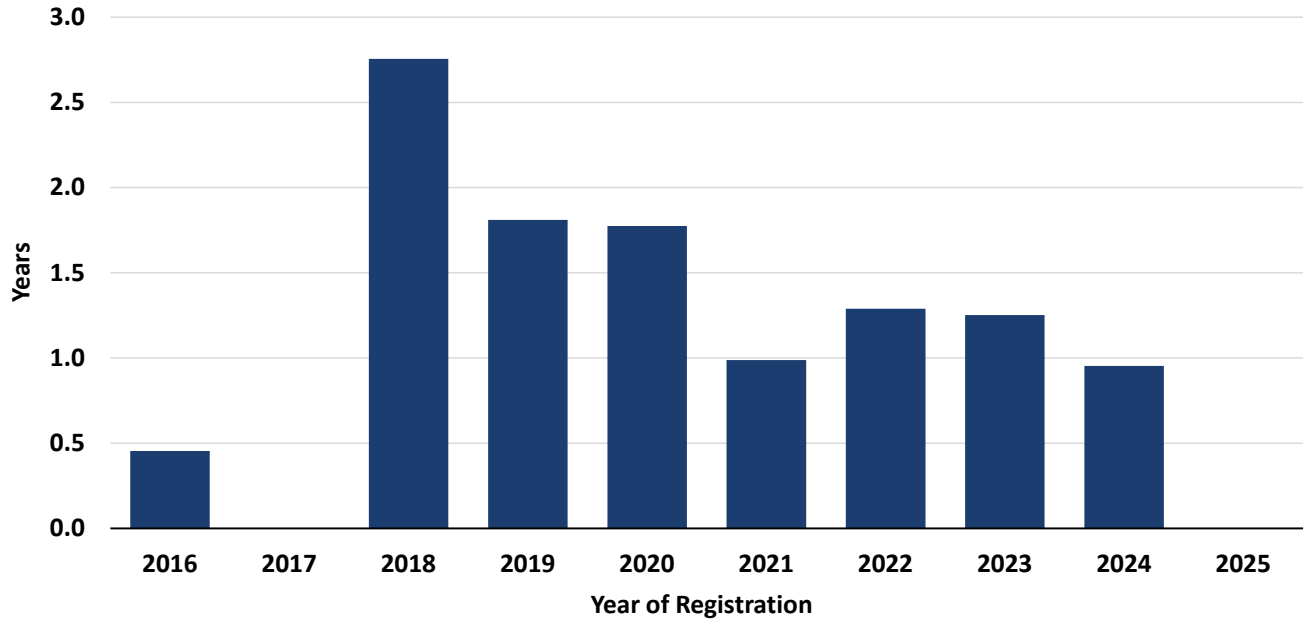
judgment in the *Foreign Exchange* case, whereby the carriage dispute hearing is held before, rather than together with, the CPO hearing.

- *Google Ads (Brook)* and *Google Ads (Kaye)*: Registered respectively in April and May 2025, with the carriage dispute hearing held a few months later in October 2025.
- *Amazon Marketplace – Consumers (ACSO)*: Registered in August 2025 with a Case Management Conference (CMC) scheduled in February 2026.
- *Microsoft (Wolfson)*: Registered on 30 May 2025, though no CMC is scheduled at the date of writing, as the respondents are challenging the Tribunal's jurisdiction to hear the case on two grounds, most notably its jurisdiction to determine certain non-competition law issues that arise in the case.
- *Amazon and Apple (Le Patourel)*: Registered in December 2025.

- Figure 8 shows the average time between the first CPO hearing and the CPO judgment. It indicates that although processing times are much quicker than in earlier years, the time for a CPO judgment to be handed down has slightly increased. For cases registered in 2020–2022, it took around two months on average; in 2023–2024, it rose to nearly four months.
- Figure 9 shows that the average time to complete the order following judgment has fallen significantly in cases that were appealed. The lengthy appeal times in earlier years (2016–2018) are based on *Mastercard (Merricks)*, which lasted nearly five years, and *Trucks (RHA)*, which lasted more than two years. For claims that are not appealed, little can be said about the change in time from judgment to order, as this is typically completed very quickly and is more of an administrative formality than a substantive process.

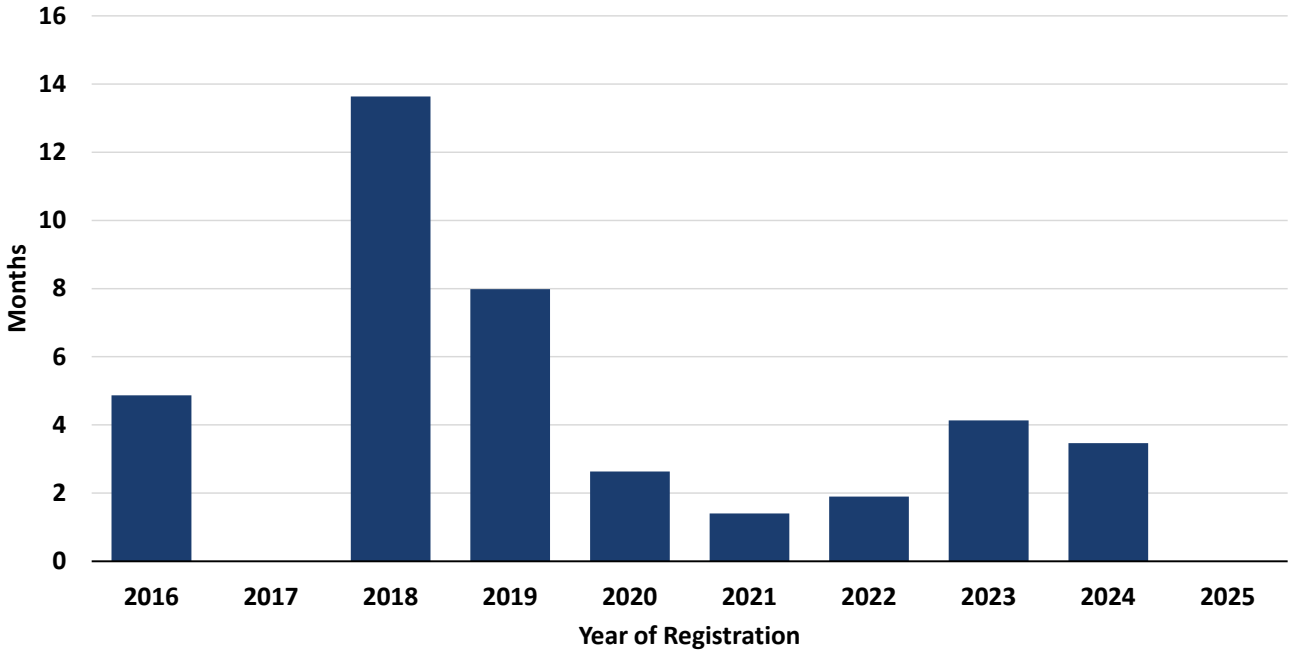
Overall, the data suggest that the Tribunal's timescales at the certification phase have improved since the start of the regime, even with its much-increased caseload. However, there has been a limited change in processing times within more recent years. In essence, the early stages of the procedural aspects of the regime appear to be settling down after the delays caused by appeals in the early years, and average processing times appear to be more consistent.

**FIGURE 7: AVERAGE TIME FROM CLAIM REGISTRATION TO FIRST CPO HEARING, 2016–2025**



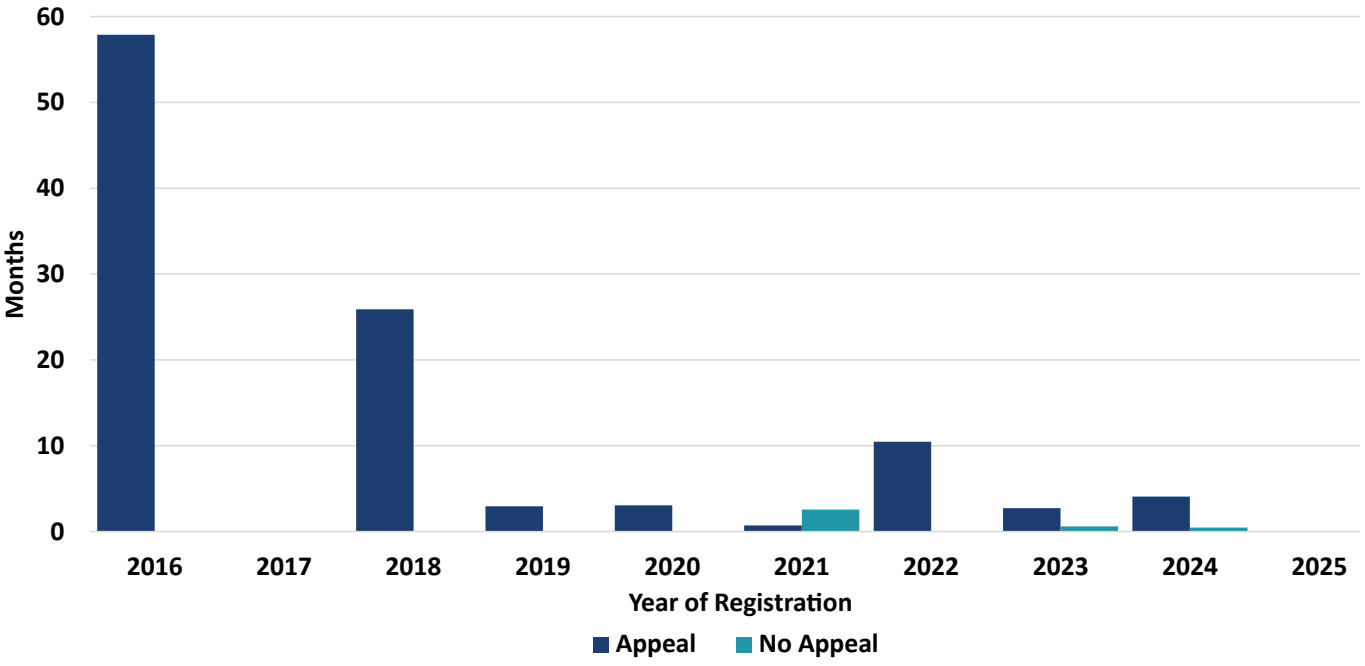

**Notes:** [1] Multiple CPOs are combined as one distinct case where a CPO is registered in the same year, by the same class representative, targeting the same or similar infringement. However, cases that have lost at carriage dispute, or have been consolidated, are not included.
[2] Data reflect cases registered on or before 31 December 2025 (as of 9 February 2026).
[3] The average processing times reported in this figure are based on the sometimes-small number of claims that have made it to the next stage. Naturally, many claims are awaiting hearings, trials, and judgments, and as such, these are not included in the relevant averages.
[4] The lack of a blue bar for 2025 reflects that no CPO hearings were held for cases registered in 2025.

**FIGURE 8:** AVERAGE TIME FROM FIRST CPO HEARING TO FIRST CPO JUDGMENT, 2016–2025




**Notes:** [1] Multiple CPOs are combined as one distinct case where a CPO is registered in the same year, by the same class representative, targeting the same or similar infringement. However, cases that have lost at carriage dispute, or have been consolidated, are not included.
[2] Data reflect cases registered on or before 31 December 2025 (as of 9 February 2026).
[3] The average processing times reported in this figure are based on the sometimes-small number of claims that have made it to the next stage. Naturally, many claims are awaiting hearings, trials, and judgments, and as such, these are not included in the relevant averages.
[4] The lack of a blue bar for 2025 reflects that no CPO hearings were held for cases registered in 2025.

**FIGURE 9:** AVERAGE TIME FROM FIRST CPO JUDGMENT TO CPO ORDER, 2016–2025




**Notes:** [1] Multiple CPOs are combined as one distinct case where a CPO is registered in the same year, by the same class representative, targeting the same or similar infringement. However, cases that have lost at carriage dispute, or have been consolidated, are not included.
[2] Data reflect cases registered on or before 31 December 2025 (as of 9 February 2026).
[3] The average processing times reported in this figure are based on the sometimes-small number of claims that have made it to the next stage. Naturally, many claims are awaiting hearings, trials, and judgments, and as such, these are not included in the relevant averages.
[4] The lack of a blue bar for 2025 reflects that no CPO hearings were held for cases registered in 2025.

# Market Participants

This section reports the activity levels of (i) law firms and (ii) funders in competition collective actions in the UK.

## Law Firms

The number of claimant firms grew in 2025, with three new firms filing their first collective actions: KP Law, Stephenson Harwood, and Stewarts Law.[37] Hausfeld remains the most active claimant firm – with 10 claims overall, including *Amazon and Apple (Le Patourel)* in 2025. Scott & Scott, Charles Lyndon, and Geradin Partners rank next, with five claims each (see Figure 10). Of these three, only Geradin Partners expanded their portfolio in 2025, and are the solicitors to the class representative in the *Google Ads (Brook)* claim. There are four other firms that have registered multiple claimant-side cases over the 2016–2025 period.[38]

On the defence side, a total of 36 different law firms have represented respondents in UK collective actions since 2016. Herbert Smith Freehills Kramer and Freshfields remain the most active, with 13 and 11 cases defended in total. They are followed by Linklaters with eight, then Slaughter and May and Macfarlanes, each with the experience of mandates in six collective actions.

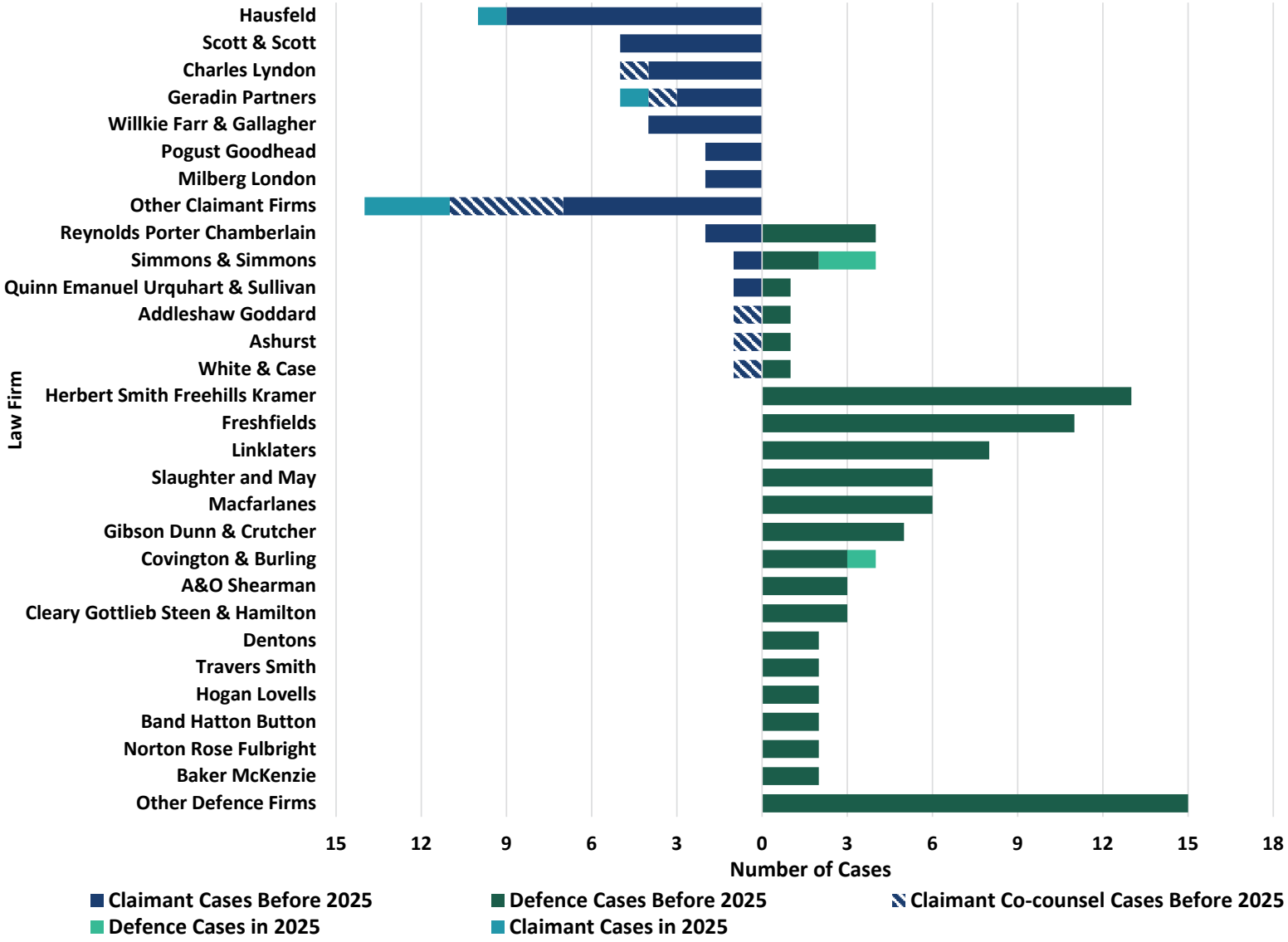
However, these firms were not instructed to defend any of the claims registered in 2025 to date. By contrast, Simmons & Simmons and Covington & Burling (each with instructions in a total of four claims now) received additional mandates in 2025. Simmons & Simmons is defending Google in the two *Google Ads* claims by Dr. Brook and Mr. Kaye, and Covington & Burling is defending Amazon in *Amazon Marketplace – Consumers (ACSO)*. Publicly available information on legal representation in the two other claims registered in 2025 was not available.

Lastly, six firms have accepted instructions from at least one class representative and respondent, and are therefore active on both sides of collective actions. The firms with experience on both sides are Reynolds Porter Chamberlain, Simmons & Simmons, Quinn Emanuel Urquhart & Sullivan, Addleshaw Goddard, Ashurst, and White & Case.

37 Their respective claims include *Google Ads (Kaye)*, *Amazon Marketplace – Consumers (ACSO)*, and *Microsoft (Wolfson)*.

38 These are Willkie Farr & Gallagher, Pogust Goodhead, Milberg London, and Reynolds Porter Chamberlain.

**FIGURE 10:** NUMBER OF DISTINCT CPO APPLICATION INSTRUCTIONS BY LAW FIRM, 2016–2025




**Notes:** [1] For claimant firms, cases (same year, same class representative, same or similar infringement) are counted once. For respondents, each instructed firm is recorded once per respondent per distinct case. Cases later withdrawn, refused certification, consolidated, or lost in carriage disputes remain included.
[2] Covers cases filed at the Tribunal between 2016–2025, based on publicly available information as of 9 February 2026. Instructions in cases not yet filed are excluded.
[3] Firms with a single mandate are grouped under "Other". Claimant firms include: KP Law, Stephenson Harwood, Stewarts Law, Lewis Silkin, Hagens Berman EMEA, Humphries Kerstetter, Tyr, Backhouse Jones, Harcus Parker, Velitor Law, Weightmans, Mishcon de Reya, Leigh Day, and Maitland Walker. Defence firms include: Bryan Cave Leighton Paisner, Skadden, WilmerHale, Clyde & Co, TLT, Baker Botts, Steptoe & Johnson, Milbank, Jones Day, Eversheds Sutherland, Osborne Clarke, Sheppard Mullin, Schjødt, Shepherd & Wedderburn, and Arnold & Porter.
[4] Representation reflects current counsel as of 9 February 2026.

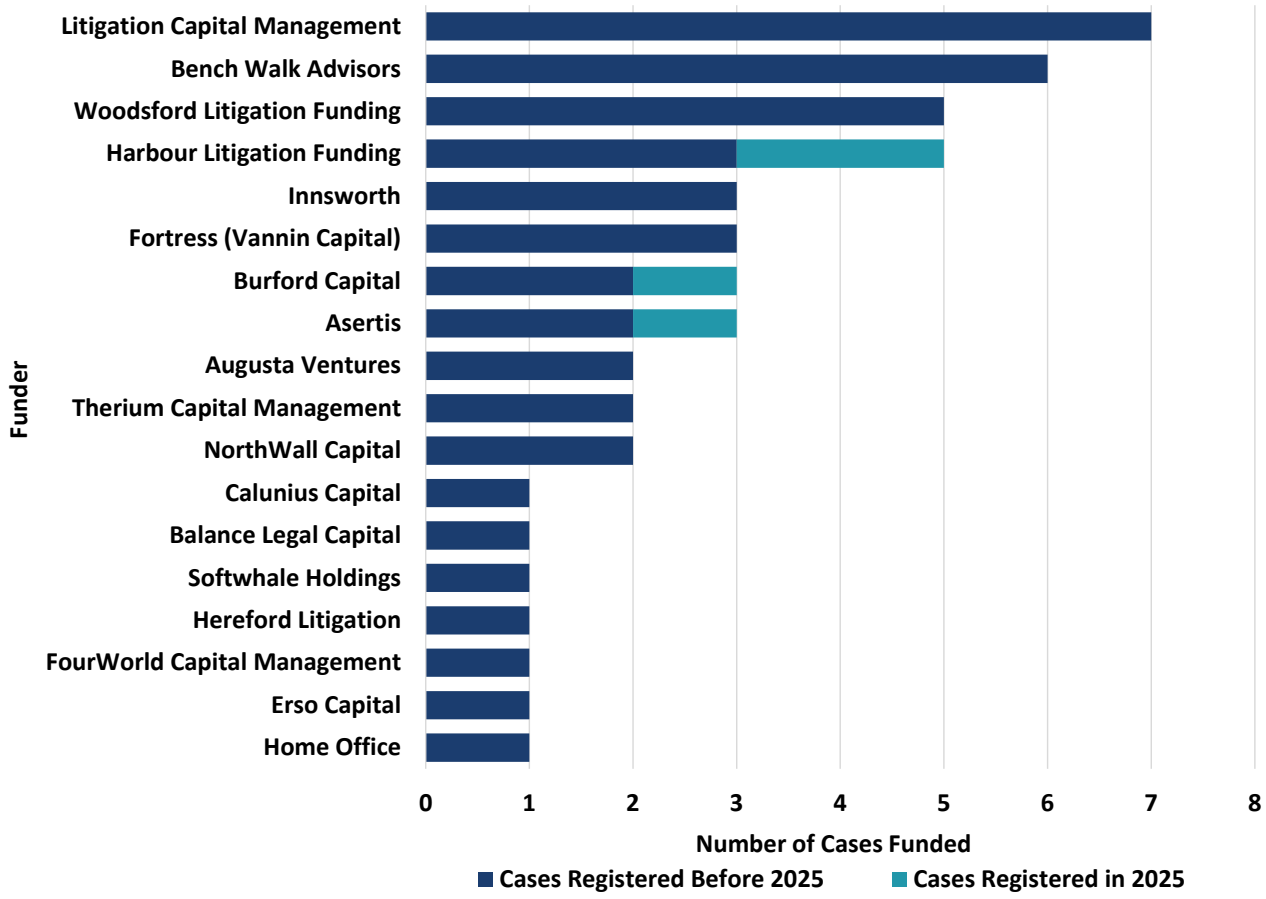
## Funders

In 2025, only three funders are known to have launched new cases (see Figure 11) – namely:

- Harbour Litigation Funding: *Google Ads (Kaye)* and *Microsoft (Wolfson)*;
- Burford Capital: *Google Ads (Brook)*; and
- Asertis: *Amazon and Apple (Le Patourel).*

Additionally, *Amazon Marketplace – Consumers (ACSO)* registered a claim in 2025, but Stewarts Law declined to identify its funder in the publicly available information, describing it only as a member of the Association of Litigation Funders.[39]

**FIGURE 11: NUMBER OF CPO APPLICATIONS FUNDED BY LITIGATION FUNDER, 2016–2025**




**Notes:** [1] Multiple CPOs are combined as one distinct case where a CPO is registered in the same year, by the same class representative, targeting the same or similar infringement.
[2] Includes all cases registered on or before 31 December 2025, based on Tribunal data as of 9 February 2026.
[3] The Merricks case against Mastercard was originally funded by Burford Capital but is included under the current funder, Innsworth.

39 Full members of the Association of Litigation Funders are: Asertis, Augusta, Bench Walk Advisors, Balance Legal Capital, Burford Capital, Calunius Capital, Deminor Litigation Funding, Erso Capital, Harbour Litigation Funding, Innsworth, Omni Bridgeway, Orchard Global, Redress Solutions, Therium, Vannin Capital, Winward Litigation Finance, and Woodsford Litigation Funding. See https://associationoflitigationfunders.com/membership/membership-directory/.

## Conclusion

A number of themes emerged from the developments in 2025:

- 2025 saw significantly reduced levels of new activity. Measured by the number of distinct cases registered at the Tribunal, five new cases were launched in 2025 compared to an average of around 10 in each of the previous three years.
- The collective actions regime continued the process of maturation in the phases beyond the class certification phase. Specifically, in 2025, *Apple App Store – Consumers (Kent)* saw the first-ever trial and judgment in a UK competition collective action in which damages were awarded. The year also saw two other trials: (i) the three proceedings involving *Boundary Fares (Gutmann)* and (ii) *Power Cables (Spottiswoode)*. These trials were each followed by judgments handed down in October 2025, meaning there have now been four collective actions in which at least some aspects of a collective claim have been through trial to judgment (the fourth was *BT (Le Patourel)*, whose trial was in 2024).
- Cases against large technology firms remain a striking feature of the UK's competition regime:
  - All of the new collective action cases registered in 2025 were related to technology firms, with claims registered against Google, Microsoft, Amazon, and Apple. Private enforcement against abuse of dominance in recent years has significantly expanded the extent and nature of competition enforcement beyond the small number of public enforcement cases pursued by the CMA.
  - In parallel developments, the UK's first major public enforcement decisions in relation to the major technology companies were also made in 2025, following the CMA's decision to open three cases under the Digital Markets, Competition and Consumers Act 2024. Specifically, in October 2025, the CMA decided to designate certain Apple and Google services as having strategic market status, namely: (i) Google's general search and search advertising services, (ii) Google's mobile platform, and (iii) Apple's mobile platform.[40]
- The Tribunal has, on average, maintained – and in some instances improved on – the reduced timelines achieved in recent years during the early stages of the case lifecycle. However, its overall caseload continued to increase, as even the reduced inflow of cases in 2025 exceeded the outflow (i.e., the number of settlements and trials).
- The year saw a reduced level of funder participation, with only three existing funders known to have financed new claims (although one other claim was funded by an as-yet-unannounced, and therefore potentially additional, funder).

Overall, the data for 2025 reflects both a significant dip in the number of new cases launched and the maturation of the pipeline of cases.

Against that backdrop, it will be particularly interesting to see how the UK competition collective action landscape evolves during 2026 and beyond. A key question for market participants is whether the Tribunal's decision on the facts to make the first collective action damages award in *Apple App Store – Consumers (Kent)* will reinvigorate funders' willingness to launch new cases, or whether the reduced activity levels in 2025 will instead usher in the new 'normal' for the UK competition collective action regime.

Continuing this forward-looking perspective, 2026 is also likely to provide significant insight into the options for further legislative adjustment to the collective action regime that the Department for Business and Trade intends to pursue. In short, 2026 will undoubtedly be another important year in the development of the regime.

40 See https://www.gov.uk/cma-cases/sms-investigation-into-googles-mobile-platform, https://www.gov.uk/cma-cases/sms-investigation-into-apples-mobile-platform and https://www.gov.uk/cma-cases/googles-general-search-and-search-advertising-services.

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