

**IF YOU HAD A FACEBOOK ACCOUNT AT ANY TIME SINCE 14
FEBRUARY 2016 YOU COULD BENEFIT FROM A PROPOSED
COLLECTIVE CLAIM**

This is a legal notice that has been published at the direction of the Competition Appeal Tribunal

A proposed collective claim against Facebook has been filed by Dr Liza Lovdahl Gormsen (the “**Proposed Class Representative**”) on behalf of certain individuals who used Facebook at any time since 14 February 2016.

The Proposed Class Representative argues that Facebook has struck an unfair bargain with its users in relation to its collection of data from users on their activities outside of Facebook (“Off-Facebook Data”). These data include data collected on other Meta-owned products such as Instagram, as well as third party websites and apps across the internet. Facebook requires users to give up Off-Facebook Data as a condition of accessing the Facebook platform, pursuant to a “take-it-or-leave-it” offer. The Class Representative argues that these practices involve an unfair trading condition and/or impose an unfairly high price on users. The Proposed Class Representative seeks compensation for loss and damage that members of the Proposed Class (as defined below) suffered as a result of Facebook’s unlawful conduct.

The **Proposed Class Members**, on whose behalf the claim would be brought, are all individuals (or, where such an individual has died, the personal/ authorised representatives of their estate) who:

- (1) had a Facebook account at any time between 14 February 2016 and the date of final judgment or earlier settlement of the present proposed collective proceedings, inclusive;
- (2) accessed that Facebook account at least once since 14 February 2016 while in the United Kingdom; and

- (3) have not been specifically excluded from the proposed claim (see the response to question 9, below).

If the Tribunal allows the proposed claim to proceed and you meet the above criteria, then you will automatically be included in the proposed claim and will be bound by the result, unless you choose to opt out by a date specified by the Tribunal. Together, the individuals who meet the above criteria are called the **Proposed Class**.

Further detailed information on the definition of the Proposed Class is provided in the response to question 8, below.

A hearing will take place on **8-9 January 2024** to decide whether the proposed claim can go ahead. Subject to any alternative arrangements, the hearing will take place at the Competition Appeal Tribunal, Salisbury Square House, 8 Salisbury Square, London EC4Y 8AP.

To learn more about the application to bring the proposed collective claim (the “**Collective Proceedings Order Application**”), please visit www.facebookclaim.co.uk or www.catribunal.org.uk.

YOUR LEGAL RIGHTS AND OPTIONS NOW	
OBJECT TO THE APPLICATION OR THE CLASS REPRESENTATIVE	<p>Any person with an interest in the proposed claim (including any Proposed Class Member) may object to the application for a Collective Proceedings Order and/or the authorisation of Dr Liza Lovdahl Gormsen as the Proposed Class Representative.</p> <p>If you want to file an objection, you must write to the Competition Appeal Tribunal stating your reasons for objecting. Your objection must be sent to the Tribunal by post, or fax, so that it is received by no later than 4pm on 6 December 2023. You may not be able to object after this deadline has passed.</p>

<p>APPLY TO MAKE ORAL/WRITTEN SUBMISSIONS TO THE TRIBUNAL</p>	<p>Any Proposed Class Member, or any third party with a legitimate interest in the proposed claim (who is not a member of the Proposed Class), may also apply to the Tribunal for permission to make oral and/or written submissions at the hearing on 8-9 January 2024.</p> <p>Any such application must be made in writing, supported by reasons, to be received by the Tribunal by no later than 4pm on 6 December 2023.</p>
<p>ADDRESS FOR THE TRIBUNAL</p>	<p>Any objections or applications must be sent to registry@catribunal.org.uk or the following address:</p> <p style="text-align: center;">The Registrar Competition Appeal Tribunal Salisbury Square House 8 Salisbury Square London EC4Y 8AP Fax: 020 7979 7978</p> <p>When writing to the Tribunal you must include the following reference: “Case 1433/7/7/22 Dr Liza Lovdahl Gormsen v Meta Platforms Inc and Others”</p>

IMPORTANT INFORMATION ABOUT THE PROPOSED CLAIM

<p>1. Why has this Notice been issued?</p>
<p>The Competition Appeal Tribunal has directed that this Notice be issued by the Proposed Class Representative, following her application for a Collective Proceedings Order.</p> <p>The Collective Proceedings Order Application asks the Tribunal to: (i) approve the proposed claim as eligible to proceed as a collective claim on behalf of the Proposed Class Members; and (ii) approve the Proposed Class Representative. To read the Collective Proceedings Order Application, or a summary of the Application, please visit www.facebookclaim.co.uk.</p> <p>This Notice has been issued to inform you of your right to object to the Collective Proceedings Application and/or the authorisation of Dr Liza Lovdahl Gormsen as the Class</p>

Representative. This Notice explains what the proposed claim is about, who is included, your right to object to the proposed claim, how to object, and any related deadlines.

Please read this Notice carefully.

2. What is the Competition Appeal Tribunal?

The Competition Appeal Tribunal is a specialist court based in London that covers the whole of the UK and which hears and decides competition law disputes. The Tribunal publishes its Rules and Guidance, together with information about what it does, on its website at www.catribunal.org.uk.

3. What is a collective claim?

The Consumer Rights Act 2015 allows for a collective claim to be brought on behalf of a group of individuals who are alleged to have suffered a common loss. The group is called the “class” and all individuals within the group are “class members”. The collective claims process means that groups of individuals who have suffered harm do not each need to bring an individual claim to obtain compensation for their loss. Instead, these individuals may all receive compensation through a single collective claim brought on their behalf by a class representative.

4. Who is the proposed claim against?

The proposed claim is against Meta Platforms Inc (formerly Facebook Inc), Meta Platforms Ireland Limited (formerly Facebook Ireland Limited) and Facebook UK Limited. Collectively these entities are referred to as “**Facebook**”.

5. What is the proposed claim about?

The proposed claim alleges that Facebook has abused its dominant position in the personal social network market and/or the social media market by imposing unfair trading conditions and/or prices on its UK users, in breach of competition law.

The proposed claim says that Facebook’s anti-competitive conduct has caused its UK users to suffer loss and damage, in particular because they have not been adequately compensated for the commercial value of their data collected and monetised by Facebook concerning their activities off Facebook’s social media site, including in particular data on their activity from: (i) other products and services owned and operated by Meta (e.g. Instagram); and (ii) third-party websites and apps.

The proposed claim is seeking compensation from Facebook on behalf of all Proposed Class Members.

6. What is the role of the Proposed Class Representative?

The application for a Collective Proceedings Order requests that Dr Liza Lovdahl Gormsen be authorised to act as the class representative for the proposed collective claim.

If authorised to act as the class representative, Dr Lovdahl Gormsen would conduct the proposed claim against Facebook on behalf of all Proposed Class Members, except for those individuals who choose to opt out of the proposed claim. Dr Lovdahl Gormsen would make decisions on the conduct of the proposed claim, including whether to accept any offer of settlement that Facebook may decide to make.

Throughout the proceedings, Dr Lovdahl Gormsen would be responsible for communicating with Proposed Class Members and for issuing formal notices. She would provide regular updates on the progress of the proposed claim on the website www.facebookclaim.co.uk and through various other media channels.

Dr Lovdahl Gormsen has instructed a legal team to assist her with the proposed claim and appointed an advisory panel of experts that she is able to consult with regularly in order to assist her in acting fairly and adequately, in the best interests of the Proposed Class Members. The members of this advisory panel are the Rt. Hon. Lord Neuberger, Peter Vicary-Smith, Professor Richard Whish and Chris Pike. Further details of the advisory panel can be found at www.facebookclaim.co.uk.

7. Who is Dr Lovdahl Gormsen?

Dr Lovdahl Gormsen has a PhD in competition law and has worked as a lawyer and academic in that field for over two decades. During her career, she has served as a lawyer at the Office of Fair Trading, enforcing both consumer protection and competition law. Dr Lovdahl Gormsen has also held a number of academic positions at UK universities, and has published two books and numerous journal articles on the subject of competition law.

The Tribunal will consider Dr Lovdahl Gormsen's suitability to act as the Proposed Class Representative.

8. What is the "Proposed Class" and who are the "Proposed Class Members"?

The application for a Collective Proceedings Order asks the Competition Appeal Tribunal to allow the proposed claim to proceed on an “opt-out” basis on behalf of the **Proposed Class**.

The Proposed Class for the purposes of the proposed claim, comprises:

“All Users of Facebook who had a Facebook account at any time during the Claim Period and accessed their account at least once during the Claim Period while in the UK (“**UK Users**”).”

For the purposes of this **Proposed Class Definition**:

- **Claim Period** means the period between 14 February 2016 and the date of final judgment or earlier settlement of the present proposed collective proceedings, inclusive.
- **Users** means individual consumers who are natural persons (including children).
- Where any UK User (as defined above) **has died** since the beginning of the Claim Period, the personal/ authorised representative of their estate becomes the Proposed Class Member.
- **Facebook** means the personal social network service Facebook.com, owned / operated by the Defendants
- **Facebook account** means an individual’s personal account on the Facebook personal social network service.

All individuals who fall within the above definition of the Proposed Class, are not covered by the specific exclusions set out below are “**Proposed Class Members**”.

All Proposed Class Members who are domiciled in the UK on the domicile date (to be determined by the Tribunal) would be included in the proposed claim automatically and be bound by the result, unless they choose to opt out of the proposed claim by a date to be determined by the Tribunal.

The proposed claim does not provide for users who are not domiciled in the United Kingdom on the domicile date to “opt in” to the proposed claim. As such, those users who are domiciled outside of the United Kingdom on the domicile date to be determined by the Tribunal will not be part of the claim. For present purposes, the United Kingdom includes England, Wales, Northern Ireland and Scotland only. It does not include any overseas territories.

9. Who is excluded from the Proposed Class?

If you fall into one of the following categories, then you will be excluded from the Proposed Class and accordingly will not be included in the proposed claim:

- (a) officers, directors or employees of Meta Platforms Inc (formerly Facebook Inc), Meta Platforms Ireland Limited (formerly Facebook Ireland Limited) or Facebook UK Limited;
- (b) all members of the Proposed Class Representative's legal team;
- (c) all members of Facebook's legal team;
- (d) all experts instructed on behalf of the Proposed Class Representative;
- (e) all experts instructed on behalf of Facebook;
- (f) all members of the Proposed Class Representative's Advisory Committee;
- (g) all employees of the claims administrator engaged in advising and assisting the Proposed Class Representative, and any other professional adviser who may be engaged by the Proposed Class Representative for the purpose of the proposed claim; and
- (h) all members of the Tribunal panel assigned to the proposed claim.

Dr Liza Lovdahl Gormsen will also be excluded from the Proposed Class.

10. How much money is being claimed?

The proposed claim seeks compensation currently estimated to be approximately £2.07 - £3.10 billion (excluding interest). This money is claimed to compensate Proposed Class Members for loss and damage they suffered as a result of Facebook's unlawful conduct.

Such compensation (of any amount) would only be payable to Proposed Class Members if the Competition Appeal Tribunal makes a Collective Proceedings Order and the Proposed Class Representative wins the case or reaches a favourable settlement with Facebook before judgment.

11. How much would the proposed claim cost me?

Proposed Class Members do not need to pay anything to be part of the claim and do not face any financial risk in relation to the proceedings.

The Proposed Class Representative has obtained third-party funding from Innsworth Capital Limited to cover the costs of the proposed claim and to cover Facebook's costs if the proposed claim is unsuccessful and an adverse costs order is made. This means that, regardless of the outcome, Proposed Class Members would not be liable for any of the costs of the proposed claim.

12. How do I object?

Any person with an interest (including any Proposed Class Members) may object to the Collective Proceedings Order Application or the authorisation of Dr Liza Lovdahl Gormsen as the Proposed Class Representative. You should review the information above and visit both www.facebookclaim.co.uk and www.catribunal.org.uk for further information.

If you want to file an objection, you must write to the Competition Appeal Tribunal stating your reasons for objecting. Your objection must be sent by e-mail, post, or fax, so that **it is received by no later than 4pm on 6 December 2023**, to registry@catribunal.org.uk or the following address:

The Registrar
Competition Appeal Tribunal
Salisbury Square House
8 Salisbury Square
London EC4Y 8AP
Fax: 020 7979 7978

When writing to the Tribunal you must include the following reference: “**Case 1433/7/7/22 Dr Liza Lovdahl Gormsen v Meta Platforms Inc and Others**”

Any Proposed Class Member, or any third party with a legitimate interest in the proposed claim (who is not a member of the Proposed Class), may also apply to the Tribunal for permission to make oral and/or written submissions at the hearing on **8-9 January 2024**.

Any such application for permission to make submissions must be made in writing, supported by reasons, and sent to the above address so that it is **received by the Tribunal by no later than 4pm on 6 December 2023**.

13. How can I get updates on the progress of the proposed claim?

You can visit www.facebookclaim.co.uk for regular updates on the progress of the proposed claim.