



Neutral citation [2023] CAT 57

Case Nos: 1407/1/12/21, 1411/1/12/21, 1412/1/12/21, 1413/1/12/21, 1414/1/12/21

IN THE COMPETITION
APPEAL TRIBUNAL

Salisbury Square House
8 Salisbury Square
London EC4Y 8AP

29 September 2023

Before:

SIR MARCUS SMITH
(President)
PROFESSOR SIMON HOLMES
PROFESSOR ROBIN MASON

Sitting as a Tribunal in England and Wales

BETWEEN:

ALLERGAN PLC

(The Allergan Appellant)

AMDIPHARM UK LIMITED

AMDIPHARM LIMITED

ADVANZ PHARMA SERVICES LIMITED

ADVANZ PHARMA CORP LIMITED

(The Advanz Appellants)

CINVEN (LUXCO 1) SARL

CINVEN CAPITAL MANAGEMENT (V) GENERAL PARTNER LTD

CINVEN PARTNERS LLP

(The Cinven Appellants)

AUDEN MCKENZIE (PHARMA DIVISION) LIMITED

ACCORD UK LIMITED

(The Auden/Actavis Appellants)

INTAS PHARMACEUTICALS LIMITED

(The Intas Appellant)

Appellants

- and -

THE COMPETITION AND MARKETS AUTHORITY

Respondent

Heard at Salisbury Square House on: 22 to 25, 29 and 30 November 2022, 2, 6 to 8, 13 to 16, 19 to 23 December 2022, 25 January 2023 and 3 February 2023, with the provision of the “Annex 3” data on 27 April 2023 and 15 May 2023.

JUDGMENT
(CARTEL INFRINGEMENTS)

APPEARANCES

Mr Daniel Jowell, KC and **Mr Tim Johnston** (instructed by **Addleshaw Goddard LLP**) appeared for the Allergan Appellants

Mr Robert O'Donoghue, KC and **Ms Emma Mockford** (instructed by **Clifford Chance LLP**) appeared for Cinven Appellants

Ms Sarah Ford, KC and **Ms Charlotte Thomas** (instructed by **Macfarlanes LLP**) appeared for the Auden/Actavis Appellants

Mr Robert Palmer, KC, **Ms Laura Elizabeth John** and **Mr Jack Williams** (instructed by **Linklaters LLP**) appeared for the Intas Appellant

Mr Mark Brealey, KC (instructed by **Morgan Lewis LLP**) appeared for the Advanz Appellants

Ms Marie Demetriou, KC, **Mr Josh Holmes, KC**, **Mr Tristan Jones**, **Mr Nikolaus Grubeck**, **Mr Michael Armitage**, **Mr David Bailey** and **Ms Daisy Mackersie** (instructed by the **legal department of the Competition and Markets Authority**) appeared for the Competition and Markets Authority

This is a closed Judgment handed down to a limited number of people to whom strict confidentiality obligations apply until further order of the Tribunal. Please refer to the Order of the President made and drawn on 29 September 2023 in these proceedings.