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Facebook's parent company Meta will face multi-billion lawsuit over alleged abuse of market dominance, London court rules.

- Claim seeks damages from Meta of a minimum of £2.08 bn on behalf of UK Facebook users.
- Competition Appeal Tribunal gives the go-ahead to claim that could see the social media giant pay compensation to 46 million UK users.
- The claim alleges that Facebook imposed an “unfair” bargain on UK users to exploit their personal data from 2016 onwards.

LONDON, February 16th 2024 - A UK court has ruled that Facebook's parent company Meta must face a multi-billion pound claim brought on behalf of millions of UK social media users over the company's exploitation of its users' data.

The claim, which seeks compensation for 46 million UK Facebook users, alleges that Meta abused its dominance by imposing unfair terms and conditions on British users to exploit their data from October 2016 to the present.

The Competition Appeal Tribunal ruled that the claim, brought by competition law expert Dr Liza Lovdahl Gormsen should be allowed to proceed to trial following a preliminary hearing in January 2024.

The Tribunal deemed Meta's objections to the claim “insufficient” to dismiss the case, ruling that Dr Lovdahl Gormsen's amendments “should be allowed, and the case to proceed as a collective action”.

Meta's “attacks” on the claim had failed, the Tribunal found. Dr Lovdahl Gormsen's case, the judgment states “does seem to us both arguable as an abuse, and capable of proper management to trial”.

Responding to the Tribunal's judgment, Dr Lovdahl Gormsen said: “We welcome the opportunity to hold Facebook to account for its exploitation of millions of Britons' data. Facebook abused its market dominance to impose unfair terms and conditions on 46 million UK users of Facebook. We are pleased that the Tribunal is allowing the claim to go ahead and allowing us the chance to secure billions of pounds of damages for UK Facebook users.”

Kate Vernon, partner and Head of Competition Litigation Practice at Quinn Emanuel, who is representing Dr Lovdahl Gormsen said: “We are delighted that the Tribunal has permitted the case to proceed to trial, despite vigorous opposition from Meta. This is a groundbreaking case that will set the agenda for the application of competition law to the exploitation of data”.

Dr Lovdahl Gormsen's case argues that Meta has struck an unfair bargain with its users in relation to its collection and use of data from users on their activities off Facebook ("Off-Facebook Data"). This includes 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. Dr Lovdahl Gormsen argues that these practices involve an unfair trading condition and/or impose an unfairly high price on users. She thus seeks compensation for loss and damage that members of the Class (as defined below) suffered as a result of Facebook's unlawful conduct.

Dr Lovdahl Gormsen's action is the first of its kind against Meta in England and Wales. The action is backed by some of Britain's most prominent competition lawyers, barristers and economists and aims to secure a minimum of £2.08 billion in damages from Meta. As an opt-out case, users will not need to actively join the case to seek damages, nor will they have to pay anything to be a part of it, but will be able to claim their share of the damages if the case is successful and they do not opt-out from it.

- Ends -

Notes to editors

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About Dr Liza Lovdahl Gormsen

The case is being led on behalf of the class by Dr Liza Lovdahl Gormsen, Senior Research Fellow at the British Institute of International and Comparative Law (BIICL) and the director of the Competition Law Forum. The Competition Law Forum is a noted centre of excellence for European competition and antitrust policy and law.

In addition, Dr Lovdahl Gormsen is a Non-Governmental Advisor to the International Competition Network, appointed by the UK Competition and Markets Authority and sits on the advisory board of the Journal of Antitrust Enforcement (OUP).

She has submitted evidence in select committee hearings in the House of Commons and given written submissions to the House of Lords, as well as addressing audiences at the White House and European Commission.

As an international expert in the field, Dr Lovdahl Gormsen co-authored the paper "[Facebook's Anticompetitive Lean in Strategies](#)" (2019) and "Facebook's Exploitative and Exclusionary Abuses in the Two-Sided Market for Social Networks and Display Advertising" (2021). The latter argues that antitrust enforcement is required to prevent the company from reinforcing its data-driven abuse of market power.

Dr Lovdahl Gormsen is represented by Quinn Emanuel Urquhart & Sullivan, LLP, one of the UK's leading litigation specialists. The lead lawyer from Quinn Emanuel Urquhart & Sullivan is Kate Vernon, a highly respected competition law specialist, assisted by partner Leo Kitchen, and associates Megan Betts, Aadil Master and Alex Groes. Also advising Dr Lovdahl Gormsen are counsel Robert O'Donoghue KC of Brick Court Chambers, Tom Coates Blackstone Chambers, Sarah O'Keeffe of Brick Court Chambers, and Greg Adey of One Essex Court.

The case is being funded by Innsworth, one of the world's largest civil litigation funders.