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Groundbreaking multi-billion class action for breach of competition law to be launched against Facebook parent company Meta for abuse of market dominance

Unprecedented legal action claims Facebook abused its market dominance and should pay its 44 million UK users compensation for the exploitation of their data between 2015 and 2019

- International competition law expert Dr Liza Lovdahl Gormsen to launch major class-action suit against Meta for abusing its market dominance
- Pre-action letter sent to Meta for minimum of £2.3 billion damages claim on behalf of affected UK Facebook users
- Social media giant imposed “unfair” terms and conditions on UK users to exploit their personal data between 2015-2019
- Over 44 million Britons could be compensated

[London] Competition expert Dr Liza Lovdahl Gormsen will launch an unprecedented multi-billion pound class action lawsuit at the Competition Appeal Tribunal in London against Meta, Facebook’s parent company. Dr Lovdahl Gormsen’s case demonstrates for the first time that the tech giant abused its market dominance by imposing unfair terms and conditions on UK users to exploit their personal data.

Dr Lovdahl Gormsen’s case argues that Facebook (now Meta) set an ‘unfair price’ for UK Facebook users. The “price” set for granting access to the social network was the surrender of UK users’ highly valuable personal data on a take it or leave it basis for access to the network. In return users only received “free” access to Facebook’s social network, and zero monetary recompense whilst Facebook generated billions in revenues from its users’ data. This unfair deal was only possible due to Facebook’s market dominance.

Dr Lovdahl Gormsen’s lawyers, Quinn Emanuel Urquhart & Sullivan, LLP, have written to Meta to notify them of the claim. Dr Lovdahl Gormsen has secured funding for her case from Innsworth, one of the largest litigation funders in the world. Quinn

Emanuel and Innsworth have a strong track record in bringing consumer claims of this kind.

The competition case comes as Meta faces an antitrust suit from the FTC in the United States that could force it to sell the Instagram and WhatsApp platforms that have cemented its market dominance in the past decade. Meta is also facing a consumer class action in the US and regulatory action around the world.

Dr Lovdahl Gormsen's opt-out class action, brought under the Competition Act, will be 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 £2.3 billion damages against Facebook (now Meta).

The class action will seek financial redress for Britons impacted by the company's abuse of its market position between 1 October 2015 - 31 December 2019. Dr Lovdahl Gormsen will represent the class of people affected - that is all people domiciled in the UK who used Facebook at least once during this period. If successful, over 44 million Britons subject to this historic abuse by the platform will be compensated. As an opt-out case, consumers will not need to actively join the case to seek damages, but will be part of the claim unless they decide to opt-out from it.

Dr Lovdahl Gormsen argues that between 2015 and 2019, Facebook collected data both within the Facebook platform and off-platform through mechanisms like the Facebook Pixel, enabling it to build an all-seeing picture of our internet usage. From this, the company generated deep data profiles of its users, known to analysts as the "social graph". Due to its market dominance, Facebook was able to impose terms and conditions on its UK users that enabled the intrusive harvesting of their data. This gave the company unique advantages which enabled it to extend its market dominance further. Facebook's intrusive user profiles became a hugely valuable private asset from which the company obtained excessive profits. These user profiles resurfaced time and again in controversies such as the Cambridge Analytica scandal.

Dr Lovdahl Gormsen says: "In the 17 years since it was created, Facebook became the sole social network in the UK where you could be sure to connect with friends and family in one place. Yet, there was a dark side to Facebook; it abused its market

dominance to impose unfair terms and conditions on ordinary Britons giving it the power to exploit their personal data. I'm launching this case to secure billions of pounds of damages for the 44 million Britons who had their data exploited by Facebook."

- Ends -

Notes to editors

For interviews with Dr Lovdahl Gormsen please contact Valerie Oladeinde or Caroline Noerkjaer at 89up on:

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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 will be represented by Quinn Emanuel Urquhart & Sullivan, LLP, one of the UK's leading competition law specialists. The lead lawyer from Quinn Emanuel Urquhart & Sullivan is Kate Vernon, a highly respected competition law specialist. Also advising Dr Lovdahl Gormsen are counsel Ronit Kreisberger QC and

Nikolaus Grubeck of Monckton Chambers and Greg Adey of One Essex Court. The case is being funded by Innsworth, one of the world's largest civil litigation funders.