

**IN THE MATTER OF PROPOSED COLLECTIVE PROCEEDINGS
UNDER SECTION 47B OF THE COMPETITION ACT 1998
RELATING TO CLOUD COMPUTING SERVICES**

B E T W E E N : -

DR MARIA LUISA STASI

**Applicant/
Proposed Representative**

-and-

(1) MICROSOFT CORPORATION

(a company incorporated under the laws of Washington State, USA)

(2) MICROSOFT LIMITED

(a company incorporated under the laws of England & Wales)

(3) MICROSOFT IRELAND OPERATIONS LIMITED

(a company incorporated under the laws of Ireland)

**Respondents/
Proposed Defendants**

APPENDIX 4 to MLS1.2: CPO NOTICE

Competition Appeal Tribunal Case No. 1696/7/7/24

UK Organisations which purchased Windows Server from Amazon Web Services, Google Cloud Platform or Alibaba Cloud could benefit from a collective claim

THIS NOTICE

This is a legal notice published on the direction of the UK Competition Appeal Tribunal.

On 21 April 2026, the Competition Appeal Tribunal (the “**Tribunal**”) granted a collective proceedings order in favour of Dr Maria Luisa Stasi against Microsoft Corporation and a number of its subsidiaries. The subsidiaries are: (1) Microsoft Limited (2) Microsoft Ireland Operations Limited (together, “**Microsoft**”).

The Consumer Rights Act 2015 allows collective proceedings to be brought on behalf of a group of persons (known as a “class”) who are alleged to have suffered loss as a result of unlawful anticompetitive conduct. For collective proceedings to be brought, the Tribunal must first make a collective proceedings order (a “**CPO**”) authorising a person to act as a representative of the class and certifying the claims as eligible to include in collective proceedings.

The Tribunal has authorised Dr Maria Luisa Stasi to act as class representative and has certified this claim against Microsoft for damages suffered as a result of its alleged unlawful conduct.

This notice is for your information since, if you fall within the class and are domiciled in the United Kingdom, you will automatically be included in the claim, and will be bound by any judgment or settlement, unless you choose to opt out.

The full CPO is annexed to this Notice and can be viewed and downloaded from the claim website ukcloudclaim.com or on the Tribunal’s website www.catribunal.org.uk.

THE CLAIM

It is Dr Stasi’s case that Microsoft has been abusing its dominant position in the market for operating systems in order to strengthen its competitive position in the market for cloud computing services, and specifically to promote sales of its own cloud computing product, “Azure”.

Specifically, Dr Stasi claims that:

1. Microsoft charges Amazon Web Services (“**AWS**”), Google Cloud Platform (“**GCP**”) and Alibaba Cloud fees for Windows Server licences which exceed the prices which Microsoft charges its own customers for equivalent software (the “**SPLA Pricing Abuse**”) and this overcharge is passed-on to end-users; and
2. Microsoft allows holders of an On-Premises Licence to use Windows Server to use Windows Server on Microsoft Azure without the need to pay re-licensing fees

(pursuant to the “Azure Hybrid Benefit”) but requires customers to pay re-licensing fees if they wish to operate Windows Server on AWS, GCP or Alibaba Cloud (the “**Re-Licensing Abuse**”).
(together, the “**Licensing Abuses**”).

This conduct has been ongoing since 3 December 2018 at the latest. Dr Stasi alleges that Microsoft’s Licensing Abuses are carried out pursuant to a coherent strategy to leverage Microsoft’s position in the market for server operating systems (in which Microsoft enjoys dominance, and which comprise part of its established and extensive software “ecosystem”) into the market for cloud computing (in which Microsoft faces competition from cloud computing platforms operated by rivals of Microsoft (“**Rival Clouds**”).

Whilst Microsoft has not (yet) been the subject of a regulatory decision in respect of this conduct, it has been subject to significant regulatory scrutiny. Of particular relevance is the Competition and Markets Authority’s investigation into the cloud industry, which identified problematic aspects in Microsoft’s conduct in relation to cloud infrastructure. The CMA published its provisional decision on the cloud services market investigation on 28 January 2025.

Class members’ individual claims raise a number of common issues, including:

- Did the SPLA Pricing Abuse and Re-Licensing Abuse amount to abuses of a dominant position by Microsoft?
- Did the SPLA Pricing Abuse cause the Proposed Class Members to suffer loss and damage.
- Did the Re-Licensing Abuse caused members of the Proposed Sub-Class to suffer loss and damage?
- What is the amount of damages which should be awarded to compensate members of the Proposed Class for the loss and damage suffered as a result of the SPLA Pricing Abuse?
- What is the amount of damages which should be awarded to compensate members of the Proposed Sub-Class for the loss and damage suffered as a result of the Re-Licensing Abuse?
- What level of interest should class members be entitled to?

More information about the claim is available from the claim website ukcloudclaim.com or the Tribunal’s website <https://www.catribunal.org.uk/cases/16967724-dr-maria-luisa-stasi>, which includes a summary of the claim.

THE CLASS DEFINITION

In summary, the claim is brought on behalf of all Organisations (other than Excluded Organisations) which, during the Claim Period, obtained a licence to use Windows Server from a Listed Provider (the “**Class**”).

In turn, Dr Stasi also brings this claim on behalf of a Sub-Class, which is defined as any Class Member who held an On-Premises Licence with Software Assurance to use Windows Server during the Sub-Class Claim Period (the “**Sub-Class**”).

Those Organisations which are domiciled in the United Kingdom on 21 July 2026 (the “**Domicile Date**”) and fall within the Class definition will automatically be included in the claim and will be bound by any settlement or judgment on the common issues, unless they choose to opt out.

The following terms referred to above are defined as follows:

“Organisations”

1. Any UK incorporated public or private limited company (ie. any “PLC” or “Ltd”), limited liability partnership (ie. any “LLP”) or limited partnership (ie. any “LP”) registered at Companies House.
2. Any partnership established under English, Scots or Northern Irish law.
3. Any charitable organisation registered with the Charity Commission, the Scottish Charity Regulator or the Charity Commission for Northern Ireland.
4. Any public body, including any NHS trust, local authority, central government department or arm’s length body (“ALB”).

“Excluded Organisations”

1. Any Organisation instructed by the Proposed Defendants to provide legal, expert or other professional support for the purposes of the Proposed Collective Proceedings;
2. Any Organisation instructed by the Proposed Class Representative to provide legal, expert, or other professional support for the purposes of the Proposed Collective Proceedings;
3. The Competition Appeal Tribunal itself, and any Organisation owned or controlled by the members of the Tribunal panel assigned to the Proposed Collective Proceedings; and
4. Any Organisation owned or controlled by any judge hearing any appeal in the Proposed Collective Proceedings.

Any Organisation which has been struck off or dissolved pursuant to the Companies Act 2006 prior to the grant of the CPO will not be included in the Class or in the Sub-Class.

“Claim Period” and “Sub-Class Claim Period”

From 3 December 2018 until 2 December 2024.

“Windows Server”

Any of the following editions: Windows Server 2008, Windows Server 2008 R2, Windows Server 2012, Windows Server 2012 R2, Windows Server 2016, Windows Server 2019, Windows Server 2022 and any forthcoming versions of Windows Server (including Windows Server 2025).

“Listed Provider”

Amazon Web Services, Google Cloud Platform, or Alibaba Cloud.

“On-Premises Licence with Software Assurance”

Any licence which grants the right to install Windows Server on the Organisation’s premises. This will include any licence for Windows Server obtained through (i) a Microsoft Enterprise Agreement, (ii) a Microsoft Products and Services Agreement, or (iii) Microsoft’s Cloud Solution Provider programme, where the Organisation has also purchased Software Assurance from Microsoft.

More information is available at the claim website ukcloudclaim.com, together with frequently asked questions.

YOUR LEGAL RIGHTS AND OPTIONS NOW

Right to opt out

Any member of the Class or Sub-Class may opt out of the claim. In order to do so, that member of the Class or Sub-Class should write to the Class Representative by 6 August 2026 to request to leave the claim. Requests can be sent by email to enquiries@ukcloudclaim.com or post to PO Box 5551, First Avenue, Westfield Industrial Estate, Radstock, BA3 9DL. A template opt-out request is available on the claim website. If a member of the Class or Sub-Class wishes to opt out after 6 August 2026, they must write directly to the Tribunal to seek approval.

Members of the Class or Sub-Class who opt out of the claim will not be bound by any settlement or judgement on common issues and will not be able to claim for a share of any settlement or damages award.

Opting out of these collective proceedings will not stop a member of the Class or Sub-Class from applying to the Tribunal to start their own claim.

Tribunal’s contact details	The Registrar, Competition Appeal Tribunal, Salisbury Square House, 8 Salisbury Square, London EC4Y 8AP; its website is www.catribunal.org.uk; its email address is: registry@catribunal.org.uk When writing to the Tribunal you need to include the reference 1696/7/7/24.
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