

FILED / PRODUIT

Date: June 20, 2025

CT- 2025-004

Sarah Sharp-Smith for / pour
REGISTRAR / REGISTRAIRE

OTTAWA, ONT.

1

Court File No.: _____

THE COMPETITION TRIBUNAL

IN THE MATTER OF the *Competition Act*, R.S.C. 1985, c. C-34 (the “**Act**”);

AND IN THE MATTER OF an application by Alexander Martin for an order pursuant to section 103.1 of the *Act* granting leave to bring an application under sections 79(1) and 90.1(1) of the *Act*;

AND IN THE MATTER OF an application by Alexander Martin for one or more orders pursuant to section 79(1) of the *Act*;

AND IN THE MATTER OF an application by Alexander Martin for one or more orders pursuant to sections 90.1(1) of the *Act*;

BETWEEN:

ALEXANDER MARTIN

Applicant

– and –

**ALPHABET INC., GOOGLE LLC, GOOGLE CANADA CORPORATION
APPLE INC. and APPLE CANADA INC.**

Respondents

**NOTICE OF APPLICATION FOR LEAVE
(Pursuant to section 103.1 of the *Competition Act*)**

TAKE NOTICE THAT:

1. The Applicant will make an application to the Competition Tribunal (the “**Tribunal**”) on a date and time to be set by the Tribunal at Ottawa or Toronto, Ontario pursuant to pursuant to section 103.1 of the *Competition Act* (the “**Act**”) seeking leave to bring an application for:

- a. an Order pursuant to subsections 79(1) of the Act prohibiting Google LLC, and Google Canada Corporation (collectively, the “**Google Respondents**”):
 - i. from engaging in practices of anti-competitive acts or conduct that has had or is likely to have the effect of preventing or lessening competition substantially in which the person or persons have a plausible competitive interest;
 - ii. a declaration that the Google Respondents collectively substantially or completely control a class or species of business throughout Canada or any area of Canada;
- b. an Order pursuant to subsection 79(4.1) of the Act requiring the Google Respondents to pay an amount, not exceeding the value of the benefit derived from their abuse of dominant position, to be distributed among the applicant and any other person affected by the practice, in any manner that the Tribunal considers appropriate;
- c. an Order pursuant to subsections 90.1(1) and 90.1(1.01) of the Act prohibiting all Respondents from engaging in an agreement or an arrangement that prevents or lessens, has prevented or lessened or is likely to prevent or lessen competition substantially in a market, specifically prohibiting Google and Apple from entering into exclusive agreements that restrict competition in the Canadian search engine market;
- d. an Order pursuant to subsection 90.1(10.1) of the Act requiring all Respondents to pay an amount, not exceeding the value of the benefit each derived from the ISA and the agreements as defined below, to be distributed among the Applicant and any other person affected by the conduct, in any manner that the Tribunal considers appropriate;
- e. an Order directing Google LLC and Google Canada Corporation to pay costs;
- f. an Order directing Apple Inc. and Apple Canada Inc. to pay costs;
- g. an Order for costs, if the within Application is opposed; and
- h. such further and other relief as the Applicant may request and the Tribunal deems just.

Dated at Toronto this 20th of June 2025.

Berger Montague (Canada) PC

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Lawyers for the Applicant, Alexander Martin

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Competition Tribunal
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Ottawa, ON K1P 5B4
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AND TO: Matthew Boswell
Commissioner of Competition
Competition Bureau
50 Victoria Street
Gatineau, QC K1A 0C9
Tel: 819-997-4282
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AND TO: Alphabet Inc.
1600 Amphitheatre Parkway
Mountain View, California, 94043, United States

AND TO: Google LLC
1600 Amphitheatre Parkway
Mountain View, California 94043, United States

AND TO: Google Canada Corporation
Richmond-Adelaide Centre
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AND TO: Apple Inc.
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1 Apple Park Way
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COMPETITION TRIBUNAL

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Respondents

NOTICE OF APPLICATION
(Pursuant to section 103.1 *Competition Act*)

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