

NOTE: Some of the documents on this web page have been provided by external sources and have been inserted, as received, in the language and format of record.  
Questions or comments may be sent by e-mail to: [tribunal@ct-tc.gc.ca](mailto:tribunal@ct-tc.gc.ca)

**CT-2014-002 ( Rakuten Kobo Inc. (variation of CT-2014-001) )**

**Proceeding 1**

**Rakuten Kobo Inc. v The Commissioner of Competition, Hachette Book Group Canada Ltd, Hachette Book Group, Inc., Hachette Digital, Inc., HarperCollins Canada Limited, Holtzbrinck Publishers, LLC, Simon & Schuster Canada, a division of CBS Canada Holdings Co.**

Section(s):	106 (90.1 and 105) - Rescission or Variation of Consent Agreement or Order (Agreement between Competitors)
Filed on:	2014-02-21
Status:	Decided - 2016-06-10

Applicant(s):	Rakuten Kobo Inc.
Respondent(s):	The Commissioner of Competition Hachette Book Group Canada Ltd Hachette Book Group, Inc. Hachette Digital, Inc. Harpercollins Canada Limited Holtzbrinck Publishers, LLC Simon & Schuster Canada, a division of CBS Canada Holdings Co.

**Case Documents**

Pleading(s)		
#	Title	Date
2	<a href="#">Notice of Application</a>	2014-02-21
13	<a href="#">Affidavit of Hollie Felix</a>	2014-03-03
24	<a href="#">Request for leave to intervene of Indigo Books &amp; Music Inc.</a>	2014-03-13
25	<a href="#">Affidavit of Heather Reisman</a>	2014-03-13
49	<a href="#">Reference record includes memorandum of argument</a>	2014-04-15
135	<a href="#">Affidavit of Mallory Kelly</a>	2015-08-28
140	<a href="#">Supplementary affidavit of Anna Kusmider</a>	2015-10-13
155	<a href="#">Amended notice of application</a>	2011-11-30
158	<a href="#">Response of the Commissioner of Competition</a>	2016-01-08
161	<a href="#">Response of Simon &amp; Schuster Canada</a>	2016-01-08
164	<a href="#">Reply of Kobo Inc.</a>	2016-01-08

Motion(s) and Related Document(s)		
#	Title	Date
4	<a href="#">Motion record of Kobo Inc.</a>	2014-02-21
12	<a href="#">Response to motion by the Commissioner of Competition</a>	2014-03-03
18	<a href="#">Memorandum of fact and law of Kobo Inc.</a>	2014-03-10
30	<a href="#">Memorandum of fact and law of the Commissioner of Competition</a>	2014-03-13

53	<a href="#">Motion record to strike notice of reference</a>	2014-04-29
59	<a href="#">Response to motion to strike the notice of reference</a>	2014-05-09
64	<a href="#">Memorandum of argument regarding motion to strike notice of reference of Kobo Inc.</a>	2014-05-16
66	<a href="#">Memorandum of fact and law of the Commissioner regarding the motion to strike notice of reference</a>	2015-05-23
69	<a href="#">Memorandum of argument of Kobo Inc. for reference</a>	2014-06-10
75	<a href="#">Commissioner's reply memorandum for the reference</a>	2014-06-20
132	<a href="#">Motion record to suspend s. 106(2) proceeding</a>	2015-08-14
134	<a href="#">Response to motion to suspend s. 106(2) proceeding</a>	2015-08-28
137	<a href="#">Memorandum of fact and law of the Commissioner (motion to suspend s. 106(2) proceeding)</a>	2015-10-13
141	<a href="#">Memorandum of fact and law of Kobo Inc. (motion to suspend s. 106(2) proceeding)</a>	2015-10-13

Other(s)		
#	Title	Date
14	<a href="#">Letter of Kobo Inc.</a>	2014-03-04
45	<a href="#">Proposed schedule and letter for reference questions</a>	2014-04-04

Decision(s)		
#	Title	Date
34	<a href="#">Order granting the Applicant's motion for a stay</a>	2014-03-18
41	<a href="#">Reasons for Order granting the Applicant's motion for a stay</a>	2014-03-27
46	<a href="#">Notice to counsel regarding scheduling</a>	2014-04-07
61	<a href="#">Scheduling Order and Reasons for Order regarding the reference proceeding</a>	2014-05-14
62	<a href="#">Scheduling Order and Reasons for Order regarding the 106(2) application</a>	2014-05-14
68	<a href="#">Order and Reasons (motion to strike)</a>	2014-06-10
99	<a href="#">Reasons for Order and Order</a>	2014-09-08
113	<a href="#">Order and Reasons following a case management teleconference</a>	2014-12-22
130	<a href="#">Scheduling Order with respect to the Applicant's motion</a>	2015-07-31
143	<a href="#">Reasons for Order and Order regarding the Applicant's motion to suspend the proceedings</a>	2015-11-05
151	<a href="#">Order scheduling the initial steps of the section 106(2) application</a>	2015-11-23
170	<a href="#">Direction re: service and filing of representations</a>	2016-02-02
186	<a href="#">Scheduling Order</a>	2016-02-10
189	<a href="#">Direction re: hearing of application scheduled for April 25 and 26, 2016 in Ottawa</a>	2016-02-12
194	<a href="#">Order on the Commissioner's request for an affidavit of documents</a>	2016-03-02
198	<a href="#">Direction regarding the affidavit of documents produced by the Commissioner of Competition</a>	2016-03-07
209	<a href="#">Order amending the Scheduling Order of February 10, 2016</a>	2016-03-22
234	<a href="#">Reasons for Order and Order</a>	2016-06-10