

Competition Tribunal



Tribunal de la Concurrence

Reference: *The Commissioner of Competition v. Aviscar Inc.*, 2015 Comp. Trib. 8  
File No.: CT-2015-001  
Registry Document No.: 037

**IN THE MATTER OF** the *Competition Act*, R.S.C. 1985, c. C-34, as amended; and

**AND IN THE MATTER OF** an application for orders pursuant to section 74.1 of the *Competition Act* for conduct reviewable pursuant to paragraph 74.01(1)(a) and sections 74.05 and 74.011 of the *Competition Act*.

B E T W E E N:

**The Commissioner of Competition**  
(applicant)

and

**Aviscar Inc., Budgetcar Inc./Budgetauto Inc.,  
Avis Budget Group, Inc. and Avis Budget Car Rental, LLC**  
(respondents)



Decided on the basis of the written record.  
Before Judicial Member: Crampton C.J.  
Date of Order: July 13, 2015

**ORDER AS TO COSTS WITH RESPECT TO THE RESPONDENTS' MOTION TO STRIKE**

[1] **FURTHER TO** the application filed by the Commissioner of Competition for orders pursuant to section 74.1 of the *Competition Act*, R.S.C. 1985, c. C-34, alleging that the Respondents are engaging in deceptive marketing practices;

[2] **AND FURTHER TO** the correspondence of counsel for the Respondents, dated June 8, 2015, notifying the Tribunal they would not proceed with their Motion to Strike given the Commissioner's delivery of particulars of his allegations as against the US Respondents

[3] **AND FURTHER TO** the correspondence of counsel for the Respondents, filed on July 10, 2015, advising the Tribunal that the parties have reached an agreement on costs with respect to the Respondent's Motion to Strike;

**THE TRIBUNAL ORDERS AS FOLLOWS:**

[4] Costs of the Respondents' May 6, 2015 motion for an Order striking out the April 29, 2015 Amended Notice of Application by the Commissioner of Competition as against the Respondents Avis Budget Group, Inc. and Avis Budget Car Rental, LLC or, in the alternative, for particulars in respect of the allegations at paragraph 11 of the Amended Notice of Application, are fixed at \$3,640.13 and are payable to the Respondents in the cause.

DATED at Ottawa, this 13th day of July, 2015.

SIGNED on behalf of the Tribunal by the presiding judicial member

(s) Paul S. Crampton

## **COUNSEL**

For the applicant:

The Commissioner of Competition

Derek Leschinsky  
Antonio Di Domenico

For the respondents:

Aviscar Inc.  
Budgetcar Inc./Budgetauto Inc.  
Avis Budget Group, Inc. and  
Avis Budget Car Rental, LLC

D. Michael Brown  
Kevin Ackhurst