

Competition Tribunal



Tribunal de la Concurrence

Reference: *Sears Canada Inc. v. Parfums Christian Dior Canada Inc. and Parfums Givenchy Canada Ltd.*, 2007 Comp. Trib.3

File No.: CT-2007-001

Registry Document No.: 0021

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

AND IN THE MATTER OF an application under section 103.1 of the *Competition Act* by Sears Canada Inc. for leave to make an application under section 75 of the *Competition Act*

B E T W E E N :

Sears Canada Inc.

(applicant)

and

**Parfums Christian Dior Canada Inc. and
Parfums Givenchy Canada Ltd.**

(respondents)



Date of case management conference: 20070228

Presiding Judicial Member: Simpson J. (Chair)

Date of Order: March 12, 2007

Order signed by: Madam Justice S. Simpson

**ORDER SETTING MARCH 14, 2007 AS DATE FOR HEARING OF APPLICATION
FOR LEAVE TO MAKE AN APPLICATION UNDER SECTION 75 OF THE
COMPETITION ACT**

[1] FURTHER TO the application filed by Sears Canada Inc. (the “Applicant”) pursuant to section 103.1 of the *Competition Act*, R.S.C. 1985, c. C-34 (the “Act”), for leave to make an application for an order under 75 of the Act requiring Parfums Christian Dior Canada Inc. and Parfums Givenchy Canada Ltd. (the “Respondents”) to supply the Applicant with certain Christian Dior and Givenchy fragrances and cosmetics;

[2] AND FURTHER TO the application for an interim order filed by the Applicant pursuant to section 104 of the Act;

[3] AND FURTHER TO the discussion held with counsel during the case management conference on February 28, 2007;

[4] AND FURTHER TO the undertaking by counsel for the Respondents given during the case management conference, in which, on his clients’ behalf, he agreed that they would continue to supply the Applicant until Friday, May 4, 2007;

[5] AND WHEREAS counsel for the Applicant does not oppose the Respondents’ request for an adjournment of the hearing of the application for leave previously scheduled for March 1, 2007, given the Respondents’ undertaking;

THE TRIBUNAL ORDERS THAT:

[6] The Applicant’s application for leave to make an application under section 75 of the Act will be heard on Wednesday, March 14, 2007, at 1:00 p.m., in the Hearing Room of the Competition Tribunal, in Ottawa.

[7] Should the Tribunal grant the Applicant leave to file an application under section 75 of the Act, the Applicant’s application for an interim order will be heard during the week of April 23, 2007.

DATED at Ottawa, this 12th day of March, 2007.

SIGNED on behalf of the Tribunal by the Chair.

(s) Sandra J. Simpson

APPEARANCES:

For the applicant:

Sears Canada Inc.

John F. Rook

For the respondents:

Parfums Christian Dior Canada Inc.

Parfums Givenchy Canada Ltd.

Don Affleck