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Mark Katz Weighs In on Private Competition Claims in *Global Competition Review*

Global Competition Review recently featured [Mark Katz](#)'s insights into the private actions regime in Canada following the Competition Tribunal's refusal to allow an abuse of dominance claim against a Québec Crown corporation.

In the [article](#) (available to subscribers), Mark explains that the introduction of the right to bring private applications in 2002 was controversial: proponents argued that it would democratize competition law enforcement by allowing private parties to bring forward cases that the Competition Bureau declined to litigate, while opponents feared a flood of frivolous litigation.

Experience to date shows that "the floodgates remain pretty well closed and we are a long way from democratizing competition law enforcement," Mark says, noting that private applications are now a rare sight.

He adds that the case is just "the latest example of an applicant not being able to show that its case had even the slimmest chance of succeeding on the merits."