

5. Fifth plea in law, alleging non-material damage.

The applicant claims that he suffered non-material damage in the amount of EUR 1 200 by reason of the defendant's refusal to provide the requested information, the uncontrolled transfer of the applicant's personal data by the defendant to recipients established in the United States, and the associated uncertainty regarding unlawful surveillance of Internet traffic.

(¹) Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ 2018 L 295, p. 39).

Action brought on 16 June 2022 — LG Chem v Commission

(Case T-356/22)

(2022/C 294/57)

Language of the case: English

Parties

Applicant: LG Chem, Ltd. (Seoul, South Korea) (represented by: P. Vander Schueren and T. Martin-Brieu, lawyers)

Defendant: European Commission

Form of order sought

The applicant claims that the Court should:

- Declare the action admissible;
- Annul the Commission Implementing Regulation (EU) 2022/547 of 5 April 2022 imposing a definitive anti-dumping duty on imports of super absorbent polymers originating in the Republic of Korea (¹) ('Contested Regulation'), as far as it applies to the applicant;
- Order the defendant to pay the costs incurred by the applicant in relation to these proceedings.

Pleas in law and main arguments

In support of the action, the applicant relies on four pleas in law.

1. First plea in law, alleging that the defendant committed manifest errors of assessment, breached Article 3(3) of Regulation (EU) 2016/1036 of the European Parliament and of the Council of 8 June 2016 on protection against dumped imports from countries not members of the European Union (²) ('basic Regulation'), and violated the applicant's rights of defence when analysing the price effect of imports from Korea.
2. Second plea in law, alleging that the defendant committed manifest errors of assessment, acted in breach of Articles 3(2), 3(5), 3(6) and 3(7) of the basic Regulation and failed to state reasons by analysing the injury situation of Union producers in a biased manner and by attributing the alleged injury to Korean imports, rather than other known factors.
3. Third plea in law, alleging that the defendant committed manifest errors of assessment, acted in breach of Articles 3(3) and 9(4) of the basic Regulation and violated the applicant's rights of defence by determining the injury margin based on a simplified product control number, by failing to provide adequate non-confidential summaries of the injury margin calculations and by failing to reflect other known factors of injury in its injury margin determination.
4. Fourth plea in law, alleging that the defendant conducted the investigation in breach of the applicant's rights of defence and in breach of the right to sound administration.

(¹) OJ 2022, L 107, p. 27.

(²) OJ 2016, L 176, p. 21.