

Form of order sought

The applicant claims that the Court should:

- declare the European Commission's Decision C(2014) 5462 final, of 29 July 2014, void;
- order the European Commission to pay the costs of the proceedings.

Pleas in law and main arguments

By its present action, the applicant seeks the annulment of Commission Decision C(2014) 5462 final of 29 July 2014 in case AT.39097 — Watch Repair, by which the Commission rejects the applicant's complaint pursuant to Article 7(2) of Regulation No 773/2004 ⁽¹⁾ concerning the refusal by several manufacturers of prestige/luxury watches to supply spare parts to independent repairers.

In support of the action, the applicant submits that i) the Commission's findings are based on manifest errors of appraisal, in law and fact, ii) that the contested decision fails to provide appropriate reasoning for the Commission's findings and iii) that the contested decision is the result of a procedure during which the Commission failed to attentively examine the elements of law and fact raised in the complaint, in violation of applicant's right to good administration.

⁽¹⁾ Commission Regulation (EC) No 773/2004 of 7 April 2004 relating to the conduct of proceedings by the Commission pursuant to Articles [101 TFEU] and [102 TFEU] (OJ 2004 L 123, p. 18).

Action brought on 10 October 2014 — Rotenberg v Council

(Case T-720/14)

(2015/C 007/42)

Language of the case: English

Parties

Applicant: Arkady Romanovich Rotenberg (Saint Petersburg, Russia) (represented by: D. Pannick, QC, M. Lester, Barrister, S. Hey and H. Brunskill, Solicitors)

Defendant: Council of the European Union

Form of order sought

The applicant claims that the Court should:

- annul Council Decision 2014/508/CFSP and Council Implementing Regulation (EU) No 826/2014, in so far as those measures apply to him;
- order that the Council pays his costs.

Pleas in law and main arguments

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

1. First plea in law, alleging that the Council failed to give adequate or sufficient reasons for including the applicant on the lists of persons, entities and bodies subject to restrictive measures in view of the situation in Ukraine.
2. Second plea in law, alleging that the Council has manifestly erred in considering that any of the criteria for listing in the contested measures were fulfilled in the applicant's case.

3. Third plea in law, alleging that the Council has breached data protection principles.
4. Fourth plea in law, alleging that the Council has failed to safeguard the applicant's rights of defence and right to effective judicial review.
5. Fifth plea in law, alleging that the Council has infringed, without justification or proportion, the applicant's fundamental rights, including the right to protection of property, business and reputation.

Action brought on 7 October 2014 — ECFA and IEP v Commission and EACEA

(Case T-724/14)

(2015/C 007/43)

Language of the case: French

Parties

Applicants: European Children's Fashion Association (ECFA) (Valencia, Spain) and Instituto de Economía Pública, SL (IEP) (Valencia) (represented by: A. Haegeman, lawyer)

Defendants: European Commission and 'Education, Audiovisual and Culture' Executive Agency (EACEA)

Form of order sought

The applicant claims that the General Court should:

- declare the present application admissible and well founded;
- annul the decision (informal letter) dated 1 August 2014 and debit note No 3241401420 dated 5 August 2014;
- order the other party to annul its debit note No 3241401420 dated 5 August 2014 on the ground that it is contrary to contractual, legal and regulatory provisions;
- declare the decision (informal letter) dated 1 August 2014 and debit note No 3241401420 dated 5 August 2014 contrary to the defendant's contractual obligations and declare them null and void;
- at the very least, declare that the claim in debit note No 3241401420 is unfounded;
- in the alternative, reduce the amount of debit note No 3241401420;
- in so far as is necessary, without prejudice to the parties' rights, appoint an expert, pursuant to Articles 63 and 64 of the Rules of Procedure;
- dismiss any claim by the other party for payment of that debit note No 3241401420 and, in so far as is necessary, order it to repay the applicant any amount whose payment the Commission obtained either directly or by set-off, including the principal amount, the interest thereon and any associated costs;
- in so far as is necessary, and to the extent that the breaches of contract committed by the other party caused damage to the applicant, order the other party to compensate the applicant, in particular and in so far as payments or set-offs from the applicant were obtained, by ordering the other party to repay those amounts;