

**Parties to the main proceedings**

*Applicant:* Advocaten voor de Wereld VZW

*Defendant:* Leden van de Ministerraad

**Re:**

Preliminary ruling — Arbitragehof — Interpretation of Council Framework Decision 2002/584/JHA of 13 June 2002 on the European arrest warrant and the surrender procedures between Member States (OJ 2002 L 190, p. 1) — Whether compatible with Article 34(2)(b) EU — Removal of the requirement of double criminality in respect of the offences listed in Article 2 (2) of the Decision — Whether compatible with Article 6(2) EU

**Operative part of the judgment**

*Examination of the questions submitted has revealed no factor capable of affecting the validity of Council Framework Decision 2002/584/JHA of 13 June 2002 on the European arrest warrant and the surrender procedures between Member States.*

<sup>(1)</sup> OJ C 271, 29.10.2005.

**Judgment of the Court (Fourth Chamber) of 10 May 2007  
— SGL Carbon AG v Commission of the European Communities**

(Case C-328/05 P) <sup>(1)</sup>

**(Appeals — Competition — Agreements, decisions and concerted practices — Guidelines on the method of setting fines — Leniency Notice — Principle non bis in idem)**

(2007/C 140/06)

*Language of the case: German*

**Parties**

*Appellant:* SGL Carbon AG (represented by M. Klusmann and F. Wiemer, Rechtsanwälte)

*Other party to the proceedings:* Commission of the European Communities (represented by: F. Castillo de la Torre, M. Schneider, W. Mölls and H. Gading, Agents,)

**Re:**

Appeal against the judgment of the Court of First Instance (Second Chamber) of 15 June 2005 in *SGL Carbon v Commission* (Joined Cases T-71/03, T-74/03, T-87/03 and T-91/03), in

which the Court of First Instance partially dismissed the action seeking annulment of Commission Decision C(2002) 5083 final of 17 December 2002 relating to a proceeding under Article 81 EC — Cartel in the specialty graphite market

**Operative part of the judgment**

*The Court:*

1. *Dismisses the appeal;*
2. *Orders SGL Carbon AG to pay the costs*

<sup>(1)</sup> OJ C 281, 12.11.2005.

**Judgment of the Court (Fourth Chamber) of 3 May 2007  
(reference for a preliminary ruling from the Oberster Gerichtshof — Austria) — Color Drack GmbH v Lexx International Vertriebs GmbH**

(Case C-386/05) <sup>(1)</sup>

**(Jurisdiction and the recognition and enforcement of judgments in civil and commercial matters — Regulation (EC) No 44/2001 — Special jurisdiction — First indent of Article 5(1) (b) — Court for the place of performance of the contractual obligation in question — Sale of goods — Goods delivered in different places within a single Member State)**

(2007/C 140/07)

*Language of the case: German*

**Referring court**

Oberster Gerichtshof

**Parties to the main proceedings**

*Applicant:* Color Drack GmbH

*Defendant:* Lexx International Vertriebs GmbH

**Re:**

Reference for a preliminary ruling — Oberster Gerichtshof — Interpretation of Article 5(1)(b) of Council Regulation (EC) No 44/2001 of 22 December 2000 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters (OJ 2001 L 12, p. 1) — Special jurisdiction — Place to which goods were delivered under a contract of sale — Multiple places of delivery