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(Information)

COURT OF JUSTICE

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**Judgment of the Court (Second Chamber) of 29 June 2006
— Showa Denko KK v Commission of the European
Communities**

(Case C-289/04 P) ⁽¹⁾

*(Appeals — Competition — Agreements, decisions and
concerted practices — Graphite electrodes — Article 81(1)
EC — Fines — Guidelines on the method of setting fines —
Leniency Notice — Principle of non bis in idem)*

(2006/C 237/01)

*Language of the case: English***Parties**

Appellant: Showa Denko KK (represented by: M. Dolmans and
P. Werdmuller, advocaten, and J. Temple-Lang, Solicitor)

Other parties to the proceedings: Commission of the European
Communities (represented by: P. Hellström and H. Gading,
Agents), Tokai Carbon Co. Ltd, established in Tokyo, SGL
Carbon AG, established in Wiesbaden (Germany), Nippon
Carbon Co. Ltd, established in Tokyo, GrafTech International
Ltd, formerly UCAR International Inc., established in
Wilmington (United States), SEC Corp., established in Amaga-
saki (Japan), The Carbide/Graphite Group Inc., established in
Pittsburgh (United States)

Re:

Appeal against the judgment of the Court of First Instance
(Second Chamber) of 29 April 2004 in Joined Cases T-236/01,
T-239/01, T-244/01 to T-246/01, T-251/01 and T-252/01
Tokai Carbon Co. Ltd and Others v Commission annulling in
part Commission Decision 2002/271/EC of 18 July 2001
relating to a proceeding under Article 81 of the EC Treaty
(COMP/E-1/36.490 — Graphite electrodes) and reducing the
amount of the fine imposed on the applicants

Operative part of the judgment*The Court:*

1. Dismisses the appeal;

2. Orders Showa Denko KK to pay the costs.

⁽¹⁾ OJ C 239, 25.09.2004.

**Judgment of the Court (Fifth Chamber) of 15 June 2006 —
Commission of the European Communities v Republic of
Austria**

(Case C-262/05) ⁽¹⁾

*(Failure of a Member State to fulfil obligations — Directive
2001/19/EC — Mutual recognition of diplomas, certificates
and other qualifications — Nurse, dentist, veterinary
surgeon, midwife, architect, pharmacist and doctor — Failure
to transpose within the period prescribed)*

(2006/C 237/02)

*Language of the case: German***Parties**

Applicant: Commission of the European Communities (repre-
sented by: A. Manville and H. Støvlbæk, Agents)

Defendant: Republic of Austria (represented by: E. Riedl, Agent)

Re:

Failure of a Member State to fulfil obligations — Failure to
transpose, within the prescribed period, Directive 2001/19/EC
of the European Parliament and of the Council of 14 May
2001 amending Council Directives 89/48/EEC and 92/51/EEC
on the general system for the recognition of professional quali-
fications and Council Directives 77/452/EEC, 77/453/EEC,
78/686/EEC, 78/687/EEC, 78/1026/EEC, 78/1027/EEC,
80/154/EEC, 80/155/EEC, 85/384/EEC, 85/432/EEC,
85/433/EEC and 93/16/EEC concerning the professions of
nurse responsible for general care, dental practitioner, veteri-
nary surgeon, midwife, architect, pharmacist and doctor (OJ
2001 L 206, p. 1)