

**Judgment of the Court of First Instance of 13 July 2006 –
Andrieu v Commission**

(Case T-285/04) ⁽¹⁾

**(Officials — Action for annulment — Career development
report — Rights of the defence — Action for damages —
Inadmissibility)**

(2006/C 224/83)

Language of the case: French

Parties

Applicant: Michel Andrieu (Brussels, Belgium) (represented by: S. Rodrigues and Y. Minatchy, lawyers)

Defendant: Commission of the European Communities (represented by: G. Berscheid and L. Lozano Palacios, acting as Agents, and M. Genton, lawyer)

Re:

Firstly, action for annulment of the applicant's career development report for 2001/2002 and, secondly, action for damages

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders each party to bear its own costs.

⁽¹⁾ OJ C 262, 23.10.2004.

**Judgment of the Court of First Instance of 25 July 2006 —
Fries Guggenheim v Cedefop**

(Case T-373/04) ⁽¹⁾

**(European Centre for the Development of Vocational
Training — Posts of heads of area — Filling of posts by reas-
signment — No provision for a selection procedure)**

(2006/C 224/84)

Language of the case: French

Parties

Applicant: Éric Mathias Fries Guggenheim (Thessaloniki, Greece) (represented by: M.-A. Lucas, lawyer)

Defendant: European Centre for the Development of Vocational Training (Cedefop) (represented by: B. Wägenbaur, lawyer)

Re:

Application for annulment of the decisions of the director of Cedefop of 28 January 2004, appointing certain persons as Heads of Area.

Operative part of the Judgment

(1) *The decisions of the director of the European Centre for the Development of Vocational Training (Cedefop) of 28 January 2004 appointing certain persons as Heads of Areas A to D are annulled.*

(2) *Cedefop shall bear the costs*

⁽¹⁾ OJ C 284 of 20.11.2004.

**Judgment of the Court of First Instance of 13 July 2006 —
IMPALA v Commission**

(Case T-464/04) ⁽¹⁾

**(Competition — Regulation (EEC) No 4064/89 — Decision
declaring a concentration compatible with the common
market — Markets for recorded music and on-line music —
Existence of a collective dominant position — Risk of crea-
tion of a collective dominant position — Conditions —
Transparency of the market — Deterrence — Statement of
reasons — Manifest error of assessment)**

(2006/C 224/85)

Language of the case: English

Parties

Applicants: Independent Music Publishers and Labels Association (Impala, international association) (Brussels, Belgium) (represented by: S. Crosby and J. Golding, Solicitors, and I. Wekstein-Steg, lawyer)

Defendant: Commission of the European Communities (represented by: A. Whelan and K Mojzesowicz, Agents)

Interveners: Bertelsmann AG (Gütersloh, Germany) (represented by: J. Boyce, Solicitor, P. Chappatte and D. Loukas, lawyers), Sony BMG Music Entertainment BV (Vianen, Netherlands) and Sony Corporation of America (SCA) (New York, United States) (represented by: N. Levy, Barrister, R. Snelders and T. Graf, lawyers)

Re:

Annulment of Commission Decision C(2004) 2815 of 19 July 2004 declaring a concentration to be compatible with the common market and the functioning of the EEA Agreement (Case No COMP/M.3333 — Sony/BMG)