

COURT OF FIRST INSTANCE

Judgment of the Court of First Instance of 30 January 2007 — France Télécom SA v Commission

(Case T-340/03) ⁽¹⁾

(Competition — Abuse of a dominant position — Market for services in high-speed internet access — Predatory pricing)

(2007/C 69/39)

Language of the case: French

Parties

Applicant: France Télécom SA, formerly Wanadoo Interactive SA (Paris, France) (represented by: O. Brouwer, H. Calvet, M. Pittie, J. Philippe and T. Janssens, lawyers)

Defendant: Commission of the European Communities (represented by: S. Rating and É. Gippini Fournier, Agents, and subsequently by É. Gippini Fournier)

Re:

Annulment of the Commission decision of 16 July 2003, concerning a proceeding under Article [82 EC] (Case COMP/38.233 — Wanadoo Interactive) or, in the alternative, annulment or reduction of the fine imposed on the applicant.

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders the applicant to pay the costs.

⁽¹⁾ OJ C 289, 29.11.2003.

Judgment of the Court of First Instance of 31 January 2007 — C v Commission

(Case T-166/04) ⁽¹⁾

(Officials — Enforcement of a judgment of the Court of First Instance — Action for annulment — No need to adjudicate — Action for damages — Breach of administrative duty — Loss of opportunity)

(2007/C 69/40)

Language of the case: French

Parties

Applicant: C (Brussels, Belgium) (represented by: J. Sambon, P.-P. Van Gehuchten and P. Reyniers, lawyers)

Defendant: Commission of the European Communities (represented by: C. Berardis-Kayser and L. Lozano Palacios, Agents)

Re:

Firstly, application for annulment of the implied decision to reject the applicant's application for enforcement of the judgment delivered by the Court of First Instance on [confidential] ⁽²⁾ in Case [confidential] and, in so far as necessary, the decision to reject the applicant's complaint of 12 February 2004 and, secondly, application for compensation for material and non-material damage allegedly suffered.

Operative part of the judgment

The Court:

1. Declares that there is no need to adjudicate on the claim for annulment.
2. Orders the Commission to pay the applicant, Mr C, the sum of EUR 15 000.
3. Orders the Commission to pay the costs.

⁽¹⁾ OJ C 179, 10.7.2004.

⁽²⁾ Confidential information omitted.

Judgment of the Court of First Instance of 1 February 2007 — Commission v IAMA Consulting

(Case T-242/04) ⁽¹⁾

(Esprit Programme — Community financing — Counterclaim brought pursuant to an arbitration clause — Reimbursement of excessive amounts of aid paid by the Commission)

(2007/C 69/41)

Language of the case: Italian

Parties

Applicant: Commission of the European Communities (represented by: E. de March, acting as Agent, and A. Dal Ferro, lawyer)

Defendant: IAMA Consulting Srl (Milan, Italy) (represented by: initially by V. Salvatore, then P. Sorteni, lawyers)