

## COURT OF FIRST INSTANCE

**Judgment of the Court of First Instance of 3 May 2007 —  
Freistaat Sachsen v Commission**

(Case T-357/02) <sup>(1)</sup>

*(State aid — Aid granted by the authorities of the Free State of Saxony — Aid scheme for small and medium-sized enterprises — Accelerated clearance procedure — Application ratione temporis of the Community guidelines and of the exempting regulation concerning aid to small and medium-sized enterprises — Aid scheme notified before the entry into force of the exempting regulation — Legitimate expectations — Legal certainty — Complete notification)*

(2007/C 140/29)

*Language of the case: German*

### Parties

*Applicant:* Freistaat Sachsen (Germany) (represented by: T. Lübbig, lawyer)

*Defendant:* Commission of the European Communities (represented by: V. Kreuzschitz and J. Flett, Agents)

### Re:

Action for annulment of the second paragraph of Article 2 and of Articles 3 and 4 of Commission Decision 2003/226/EC of 24 September 2002 on an aid scheme which the Federal Republic of Germany is planning to implement — ‘Guidelines on assistance for SMEs — Improving business efficiency in Saxony’: Subprogrammes 1 (Coaching), 4 (Participation in fairs), 5 (Cooperation) and 7 (Design promotion) (OJ 2003 L 91, p. 13),

### Operative part of the judgment

*The Court:*

1. Annuls the second paragraph of Article 2 and Articles 3 and 4 of Commission Decision 2003/226/EC of 24 September 2002 on an aid scheme which the Federal Republic of Germany is planning to implement — ‘Guidelines on assistance for SMEs — Improving business efficiency in Saxony’: Subprogrammes 1 (Coaching), 4 (Participation in fairs), 5 (Cooperation) and 7 (Design promotion);
2. Orders the Commission of the European Communities to pay the costs.

<sup>(1)</sup> OJ C 31, 8.2.2003.

**Judgment of the Court of First Instance (Fifth Chamber) of  
3 May 2007 — Kingdom of Spain v Commission of the  
European Communities**

(Case T-219/04) <sup>(1)</sup>

*(Fisheries — Adjustment of the capacity of Member States’ fishing fleets — Entry/exit scheme — Committee for fisheries and aquaculture — Rules on the use of languages)*

(2007/C 140/30)

*Language of the case: Spanish*

### Parties

*Applicant:* Kingdom of Spain (represented by: N. Díaz Abad, acting as Agent)

*Defendant:* Commission of the European Communities (represented by: T. van Rijn and S. Pardo Quintillán, Agents)

### Re:

Application for annulment of Commission Regulation (EC) No. 1439/2003 of 12 August 2003 laying down implementing rules on the Community Fleet Policy as defined in Chapter III of Council Regulation No. 2371/2002

### Operative part of the judgment

*The Court:*

1. Dismisses the action.
2. Orders the Kingdom of Spain to pay the costs.

<sup>(1)</sup> OJ C 10.01.2004, (formerly Case C-464/03)

**Judgment of the Court of First Instance of 10 May 2007 —  
Negenman v Commission**

(Case T-255/04) <sup>(1)</sup>

*(Civil service — Officials — Maternity leave — Sickness leave — Probable date of confinement — Date of beginning of maternity leave)*

(2007/C 140/31)

*Language of the case: French*

### Parties

*Applicant:* Monique Negenman (Roosendaal, The Netherlands) (represented by: L. Vogel, lawyer)