

**Judgment of the Court of First Instance of 12 July 2007 —
CB v Commission**

(Case T-266/03) ⁽¹⁾

(Competition — Agreements, decisions and concerted practices — Bankcards — Decision ordering an investigation — Article 14(3) of Regulation No 17 — Statement of reasons — Proportionality)

(2007/C 199/53)

Language of the case: French

Parties

Applicant: Groupement des cartes bancaires (CB) (Paris, France) (represented by: A. Georges and J. Ruiz Calzado, lawyers)

Defendant: Commission of the European Communities (represented by: initially T. Christoforou and O. Beynet and then by T. Christoforou and F. Arbault, Agents)

Re:

Firstly, action for the annulment of Commission Decision C(2003) 1524/9 of 7 May 2003 in Case COMP/D1/38.606 ordering Groupement des cartes bancaires and its subsidiaries to submit to an investigation under Article 14(3) of Council Regulation No 17: First Regulation implementing Articles [81] and [82] of the Treaty (OJ, English Special Edition, Series I Chapter 1959-1962, p. 87), as amended, and, secondly, action for the removal from the file of all documents and other evidence brought to the knowledge of the Commission during the investigation and for their return to the applicant

Operative part of the judgment

The Court:

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

⁽¹⁾ OJ C 251, 18.10.2003.

**Judgment of the Court of First Instance of 11 July 2007 —
Stichting Al-Aqsa v Council**

(Case T-327/03) ⁽¹⁾

(Common foreign and security policy — Restrictive measures against certain persons and entities with a view to combating terrorism — Freezing of funds — Action for annulment — Statement of reasons)

(2007/C 199/54)

Language of the case: English

Parties

Applicant: Stichting Al-Aqsa (Heerlen — Netherlands) (represented by: V. Koppe and L. Janssen, lawyer)

Defendant: Council of the European Union (represented by: M. Bishop and S. Marquardt, Agents)

Re:

Annulment in part, first, of Council Decision 2003/480/EC of 27 June 2003 implementing Article 2(3) of Regulation (EC) No 2580/2001 on specific restrictive measures directed against certain persons and entities with a view to combating terrorism and repealing Decision 2002/974/EC (OJ 2003 L 160, p. 81), and, second, of Council Decision 2003/646/EC of 12 September 2003 implementing Article 2(3) of Regulation No 2580/2001 and repealing Decision 2003/1480 (OJ 2003 L 229, p. 22).

Operative part of the judgment

The Court:

1. Annuls Council Decision 2006/379/EC of 29 May 2006 implementing Article 2(3) of Regulation (EC) No 2580/2001 on specific restrictive measures directed against certain persons and entities with a view to combating terrorism and repealing Decision 2005/930 in so far as it concerns Stichting Al-Aqsa;
2. Declares that there is no need to rule on the claim for a declaration, pursuant to Article 241 EC, that Council Regulation No 2580/2001 of 27 December 2001 is unlawful;
3. Orders the Council to bear, in addition to its own costs, the costs of Stichting Al-Aqsa;
4. Orders the Kingdom of the Netherlands to pay its own costs.

⁽¹⁾ OJ C 289, 29.11.2003.

**Judgment of the Court of First Instance of 11 July 2007 —
Schneider Electric v Commission**

(Case T-351/03) ⁽¹⁾

(Non-contractual liability of the Community — Loss sustained by an undertaking as a result of a sufficiently serious breach of Community law vitiating the control procedure relating to a merger's compatibility with the common market)

(2007/C 199/55)

Language of the case: French

Parties

Applicant: Schneider Electric SA (Rueil-Malmaison — France) (represented by: A. Winckler and M. Pittie, lawyers)