

— there is an overriding public interest in the disclosure of the documents provided by EIM Business and Policy Research in the framework of the study on 'Costs and benefits to merchants of accepting different payment methods' (COMP/2009/D1/020).

2. Second plea in law, alleging that the Commission committed an error of law by breaching Article 4(2), first indent, and Article 8(1) of Regulation (EC) No 1049/2001, in that:

— the Commission has not established that the conditions of Article 4(2), first indent, of the Regulation (EC) No 1049/2001 are fulfilled;

— the elements relied on by the Commission are not credible; and

— there is an overriding public interest in the disclosure of the EIM documents.

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**Appeal brought on 29 September 2011 by Sandro Gozi against the judgment of the Civil Service Tribunal of 20 July 2011 in Case F-116/10 Gozi v Commission**

(Case T-519/11 P)

(2011/C 347/73)

*Language of the case: Italian*

#### Parties

*Appellant:* Sandro Gozi (Rome, Italy) (represented by G. Passalacqua and G. Calcerano, lawyers)

*Other party to the proceedings:* European Commission

#### Form of order sought by the appellant

— Annul the measure taken by the Directorate General for Human Resources and Security — HR.D.2/MB/db Ares (2010) — Y96 985 of 6 August 2010.

— Recognise and declare the right of Mr Gozi to reimbursement of legal costs and, consequently, order the payment of the sum of EUR 24 480 plus costs.

#### Pleas in law and main arguments

The present appeal is brought against the decision by which the defendant refused reimbursement of the sum of EUR 24 480 for the legal costs incurred by the appellant in legal proceedings in Italy.

In support of his appeal, Mr Gozi relies on a sole ground of appeal alleging that the judgment under appeal in the present case seems to be wrong in law and marred in several places by reasoning which is clearly contradictory, since that judgment disregards the rationale and wording of Article 24 of the Staff

Regulations of the Officials of the European Union, thereby running counter to the case-law referred to in the judgment itself and to the findings of fact in the proceedings before the Commission.

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**Action brought on 3 October 2011 — Igar Chemicals v ECHA**

(Case T-526/11)

(2011/C 347/74)

*Language of the case: Spanish*

#### Parties

*Applicant:* Igar Chemicals, SL (Rubí, Spain) (represented by: L. Fernández Vaissieres, lawyer)

*Defendant:* European Chemicals Agency (ECHA)

#### Form of order sought

The applicant claims that the General Court should:

— declare that the action is well-founded and admissible;

— annul in part the contested decision, insofar as it refers to the issuing of an invoice for administrative charges, and annul that invoice;

— order the ECHA to pay the costs.

#### Pleas in law and main arguments

This action has been brought against the Decision of the European Chemicals Agency ('ECHA') number SME (2011) 0572, dated 3 August 2011, and for the related cancellation of the invoice for administrative charges (invoice number 10028302 of 5 August 2011).

It is noted in that respect that the applicant pre-registered various substances that it intended to register. Prior to the latter registration, the applicant was incorrectly recorded as a small enterprise.

In June 2011, on the basis of Article 13(3) of Commission Regulation (EC) No 340/2008 of 16 April 2008 on the fees and charges payable to the European Chemicals Agency pursuant to Regulation (EC) No 1907/2006 of the European Parliament and of the Council on the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) (the 'Charges Regulation'), the Agency requested the applicant to show that it had the right to the reduction in registration charges that had been applied. The applicant confirmed that its size corresponded to that of a medium-sized enterprise, a matter which it had voluntarily corrected in the REACH-IT system prior to receiving the abovementioned request from the ECHA.