

**Order of the General Court of 8 March 2012 —
Octapharma Pharmazeutika v EMA**

(Case T-573/10) ⁽¹⁾

(Medicinal products for human use — Changes to a plasma master file (PMF) — Fees payable to the EMA — Act with adverse effects — Measure merely confirmatory — Manifest inadmissibility)

(2012/C 126/34)

Language of the case: German

Parties

Applicant: Octapharma Pharmazeutika Produktionsgesellschaft mbH (Vienna, Austria) (represented by: I. Brinker and T. Holzmüller, lawyers, and J. Schwarze, Professor)

Defendant: European Medicines Agency (EMA) (represented by: V. Salvatore, acting as Agent, and H.-G. Kamann and P. Gey, lawyers)

Re:

Application for annulment of the letter of 21 October 2010 (EMA/643425/2010) by which the European Medicines Agency (EMA) refused to repay to the applicant the sum of EUR 180 700 corresponding to the difference between, on the one hand, the sum the applicant paid to it in respect of fees for the examination of variations to the terms of a marketing authorisation for medicinal products for human use and veterinary medicinal products and, on the other hand, the sum which the applicant maintains it should have paid.

Operative part of the order

1. *The action is dismissed.*
2. *Octapharma Pharmazeutika Produktionsgesellschaft mbH shall pay the costs.*

⁽¹⁾ OJ C 55, 19.2.2011.

**Order of the General Court of 8 March 2012 — Marcuccio
v Commission**

(Case T-126/11 P) ⁽¹⁾

(Appeal — Civil service — Officials — Social security — Reimbursement of medical expenses — Act adversely affecting an official — Implied refusal — Duty to state reasons — Appeal in part manifestly unfounded and in part manifestly inadmissible)

(2012/C 126/35)

Language of the case: Italian

Parties

Appellant: Luigi Marcuccio (Tricase, Italy) (represented by: G. Cipressa, lawyer)

Other party to the proceedings: European Commission (represented by: J. Curall and C. Berardis-Kayser, acting as Agents, and A. Dal Ferro, lawyer)

Re:

Appeal against the judgment delivered by the European Union Civil Service Tribunal (single judge) on 14 December 2010 in Case F-1/10 *Marcuccio v Commission*, not yet published in the ECR, seeking the annulment in part of that judgment.

Operative part of the order

1. *The appeal is dismissed in part as manifestly inadmissible and in part as manifestly devoid of any basis in law.*
2. *The cross-appeal is dismissed in part as manifestly inadmissible and in part as manifestly devoid of any basis in law.*
3. *Mr Luigi Marcuccio shall bear his own costs and shall pay the costs incurred by the European Commission in the appeal.*
4. *Each party shall bear its own costs of the cross-appeal.*

⁽¹⁾ OJ C 120, 16.4.2011.