

**Operative part of the judgment**

The General Court:

1. *annuls, in so far as they concern Fulmen and Mr Fereydoun Mahmoudian:*

— Council Decision 2010/413/CFSP of 26 July 2010 concerning restrictive measures against Iran and repealing Common Position 2007/140/CFSP,

— Council Implementing Regulation (EU) No 668/2010 of 26 July 2010 implementing Article 7(2) of Regulation (EC) No 423/2007 concerning restrictive measures against Iran,

— Council Decision 2010/644/CFSP of 25 October 2010 amending Decision 2010/413 and

— Council Regulation (EU) No 961/2010 of 25 October 2010 on restrictive measures against Iran and repealing Regulation No 423/2007;

2. *orders the effects of Decision 2010/413, as amended by Decision 2010/644, to be maintained as regards Fulmen and Mr Mahmoudian until the annulment of Regulation No 961/2010 takes effect;*

3. *dismisses the action as to the remainder;*

4. *orders the Council of the European Union to bear its own costs and to pay the costs incurred by Fulmen and by Mr Mahmoudian;*

5. *orders the European Commission to bear its own costs.*

(<sup>1</sup>) OJ C 328, 4.12.2010.

**Order of the General Court of 21 March 2012 — Banco Bilbao Vizcaya Argentaria v Commission**

(Case T-225/10) (<sup>1</sup>)

**(Action for annulment — State aid — Aid scheme allowing the tax amortisation of financial goodwill for foreign shareholding acquisitions — Decision declaring the aid scheme incompatible with the common market and not ordering the recovery of the aid — No individual concern — Inadmissibility)**

(2012/C 133/48)

Language of the case: Spanish

**Parties**

*Applicant:* Banco Bilbao Vizcaya Argentaria, SA (Bilbao, Spain) (represented by: J. Buendía Sierra, E. Abad Valdenebro, M. Muñoz de Juan and R. Calvo Salinero, lawyers)

*Defendant:* European Commission (represented by: R. Lyal and C. Urraca Caviedes, acting as Agents)

**Re:**

Application for annulment of Article 1(1) of Commission Decision 2011/5/EC of 28 October 2009 on the tax amortisation of financial goodwill for foreign shareholding acquisitions C 45/07 (ex NN 51/07, ex CP 9/07) implemented by Spain (OJ 2011 L 7, p. 48)

**Operative part of the order**

1. *The action is dismissed.*

2. *Banco Bilbao Vizcaya Argentaria, SA shall pay the costs.*

(<sup>1</sup>) OJ C 179, 3.7.2010.

**Order of the General Court of 21 March 2012 — Telefónica v Commission**

(Case T-228/10) (<sup>1</sup>)

**(Action for annulment — State aid — Aid schemes allowing for the tax amortisation of financial goodwill for foreign shareholding acquisitions — Decision declaring the aid scheme incompatible with the common market and not ordering the recovery of aid — Act entailing implementing measures — Lack of individual concern — Inadmissibility)**

(2012/C 133/49)

Language of the case: Spanish

**Parties**

*Applicant:* Telefónica, SA (Madrid, Spain) (represented by: J. Ruiz Calzado, M. Núñez-Müller and J. Domínguez Pérez, lawyers)

*Defendant:* European Commission (represented by: R. Lyal and C. Urraca Caviedes, Agents)

**Re:**

Application for annulment of Article 1(1) of Commission Decision 2011/5/EC of 28 October 2009 on the tax amortisation of financial goodwill for foreign shareholding acquisitions C 45/07 (ex NN 51/07, ex CP 9/07) implemented by Spain (OJ 2011 L 7, p. 48).

**Operative part of the order**

1. *The action is dismissed.*

2. *Telefónica, SA is ordered to pay the costs.*

(<sup>1</sup>) OJ C 195, 17.7.2010.