

Defendant: European Commission (represented by: V. Di Bucci and D. Grespan, agents)

Re:

Application for annulment of Commission Decision 2011/134/EU of 24 March 2010 concerning State aid C 4/03 (ex NN 102/02) implemented by Italy for Wam SpA (OJ 2011 L 57, p. 29).

Operative part of the judgment

1. *The action is dismissed;*
2. *The Italian Republic is ordered to pay the costs.*

⁽¹⁾ OJ C 221, 14.8.2010.

Judgment of the General Court of 27 September 2012 — Wam Industriale v Commission

(Case T-303/10) ⁽¹⁾

(State aid — Undertaking with subsidiaries in certain third countries — Reduced rate loans — Decision declaring aid in part incompatible with the internal market and ordering it to be repaid — Decision taken following the annulment by the General Court of the initial decision concerning the same procedure — Execution of a judgment of the General Court — Obligation to state reasons — Principle of sound administration — Duty to exercise diligence — Duty of care)

(2012/C 355/53)

Language of the case: Italian

Parties

Applicant: Wam Industriale SpA (Modena, Italy) (represented by: G. M. Roberti and I. Perego, lawyers)

Defendant: European Commission (represented by: V. Di Bucci and D. Grespan, agents)

Re:

Application for annulment of Commission Decision 2011/134/EU of 24 March 2010 concerning State aid C 4/03 (ex NN 102/02) implemented by Italy for Wam SpA (OJ 2011 L 57, p. 29).

Operative part of the judgment

1. *The action is dismissed;*
2. *Wam Industriale SpA is ordered to pay the costs.*

⁽¹⁾ OJ C 246, 11.9.2010.

Judgment of the General Court of 2 October 2012 — ELE.SI.A v Commission

(Case T-312/10) ⁽¹⁾

(Arbitration clause — Sixth multiannual framework programme of the European Community for research, technological development and demonstration activities, contributing to the creation of the European Research Area and to innovation (2002 to 2006) — Contract concerning the 'I-Way, Intelligent, co-operative system in cars for road safety' project — Termination of the contract — Request for repayment of the financial contribution paid — Damages — Action seeking to obtain the full financial contribution requested and to challenge the request for repayment — Counterclaim)

(2012/C 355/54)

Language of the case: Italian

Parties

Applicant: Elettronica e sistemi per automazione (ELE.SI.A) SpA (Guidonia Montecelio, Italy) (represented by: P. Tomassi, S. Baratti and P. Caprile, lawyers)

Defendant: European Commission (represented by: A. Aresu and A. Sauka, Agents)

Re:

Application seeking payment of the financial contribution to which the applicant considers that it is entitled under the terms of Contract No 27195, entered into on 13 December 2005 between the Commission and the applicant, relating to the research project entitled 'I-Way, Intelligent, co-operative system in cars for road safety', and a counterclaim for repayment of a part of the financial contribution paid and for payment of damages.

Operative part of the judgment

The General Court:

1. *Dismisses the action brought by Elettronica e sistemi per automazione (ELE.SI.A) SpA;*
2. *Orders ELE.SI.A to pay to the European Commission a sum of EUR 184 129,74, plus interest from 18 May 2010, together with a sum of EUR 7 344,46, plus interest from 18 June 2010;*
3. *Orders ELE.SI.A to pay the costs.*

⁽¹⁾ OJ C 260, 25.9.2010.