

V

(Announcements)

COURT PROCEEDINGS

COURT OF JUSTICE

Judgment of the Court (First Chamber) of 6 December 2012 — AstraZeneca AB, AstraZeneca plc v European Commission, European Federation of Pharmaceutical Industries and Associations (EFPIA)

(Case C-457/10 P) ⁽¹⁾

(Appeals — Competition — Abuse of dominant position — Market in anti-ulcer medicines — Abuse of procedures relating to supplementary protection certificates for medicinal products and of marketing authorisation procedures for medicinal products — Misleading representations — Deregistration of marketing authorisations — Obstacles to the marketing of generic medicinal products and to parallel imports)

(2013/C 26/02)

Language of the case: English

Parties

Appellants: AstraZeneca AB, AstraZeneca plc (represented by: M. Brealey QC, M. Hoskins QC, D. Jowell, Barrister and F. Murphy, Solicitor)

Other parties to the proceedings: European Commission (represented by: F. Castillo de la Torre, É. Gippini Fournier and J. Bourke, Agents), European Federation of Pharmaceutical Industries and Associations (EFPIA) (represented by: M. Van Kerckhove, advocaat)

Re:

Appeal brought against the judgment of the General Court (Sixth Chamber, extended composition) of 1 July 2010 in Case T-321/05 *AstraZeneca v Commission*, in which the General Court annulled, in part, the Commission Decision of 15 June 2005 relating to a proceeding under Article 82 EC and Article 54 EEA (Case COMP/A.37.507/F3 — *AstraZeneca*) which imposed a fine of EUR 60 million on the appellants for abuse of the patent system and the procedure for placing pharmaceutical products on the market in order to prevent or delay the arrival on the market of competing generic medicinal products — Definition of the market — Interpretation of Article 19 of Regulation (EEC) No 1786/92 concerning the creation of a supplementary protection certificate for medicinal products

Operative part of the judgment*The Court:*

1. Dismisses the main appeal and cross-appeals;
2. Orders AstraZeneca AB and AstraZeneca plc to pay the costs relating to the main appeal;
3. Orders the European Federation of Pharmaceutical Industries and Associations (EFPIA) to pay the costs of its cross-appeal and to bear its own costs relating to the main appeal;
4. Orders the European Commission to bear its own costs relating to its cross-appeal.

⁽¹⁾ OJ C 301, 6.11.2010.

Judgment of the Court (Third Chamber) of 22 November 2012 — Usha Martin Ltd v Council of the European Union, European Commission

(Case C-552/10 P) ⁽¹⁾

(Appeal — Dumping — Regulation (EC) No 121/2006 — Imports of steel ropes and cables originating, inter alia, in India — Decision 2006/38/EC — Regulation (EC) No 384/96 — Article 8(9) — Undertakings offered in connection with anti-dumping proceedings)

(2013/C 26/03)

Language of the case: English

Parties

Appellant: Usha Martin Ltd (represented by: V. Akritidis and E. Petritsi, dikigoroi, and by F. Crespo, avocat)

Other parties to the proceedings: Council of the European Union (represented by: B. Driessen, acting as Agent, G. Berrisch, Rechtsanwalt, and N. Chesaites, Barrister), European Commission (represented by T. Scharf and S. Thomas, acting as Agents)