Pleas in law and main arguments

The pleas in law and main arguments are the same as those raised in Case T-148/13 *Kingdom of Spain* v *Commission*.

Action brought on 14 March 2013 — Et Solar Industry and Others v Commission

(Case T-153/13)

(2013/C 123/47)

Language of the case: English

Parties

Applicants: Et Solar Industry Ltd (Taizhou City, China); Et Energy Co. Ltd (Taizhou City); and Dotec Electric Co. Ltd (Taizhou City) (represented by: R. MacLean, Solicitor)

Defendant: European Commission

Form of order sought

The applicants claim that the Court should:

— Declare the appeal admissible;

— Annul the Commission's Decision set out in its letter of 3rd January 2013 deciding that the applicants market economy treatment ('MET') claim will no longer be considered;

— Order the defendant and any interveners to pay the applicants legal costs and expenses for this procedure.

Pleas in law and main arguments

In support of the action, the applicants rely on two pleas in law.

1. First plea in law, alleging that the contested decision should be annulled on the grounds that the Commission made a manifest error of assessment by infringing and failing to respect the applicants' rights to the protection of legitimate expectations and the principle of proportionality thereby unlawfully terminating without due cause the applicants claim for market economy treatment in the context of an anti-dumping investigation.

2. Second plea in law, alleging that the contested decision should be annulled on the grounds that the Commission made a manifest error of assessment by infringing the principles of legal certainty and the non-retroactive application of European Union law by unlawfully terminating the applicants' MET claim thereby unlawfully terminating without due cause the applicants claim for market economy treatment in the context of an anti-dumping investigation.

Action brought on 14 March 2013 — Jiangsu Jiasheng Photovoltaic Technology v Commission

(Case T-154/13)

(2013/C 123/48)

Language of the case: English

Parties

Applicant: Jiangsu Jiasheng Photovoltaic Technology Co., Ltd (Yixing, China) (represented by: R. MacLean, Solicitor)

Defendant: European Commission

Form of order sought

The applicant claims that the Court should:

— Declare the appeal admissible;

— Annul the Commission's Decision set out in its letter of 3rd January 2013 deciding that the applicants market economy treatment ('MET') claim will no longer be considered;

— Order the defendant and any interveners to pay the applicants legal costs and expenses for this procedure.

Pleas in law and main arguments

In support of the action, the applicant relies on two pleas in law.

1. First plea in law, alleging that the contested decision should be annulled on the grounds that the Commission made a manifest error of assessment by infringing and failing to respect the applicant's rights to the protection of legitimate expectations and the principle of proportionality thereby unlawfully terminating without due cause the applicant claim for market economy treatment in the context of an anti-dumping investigation.

2. Second plea in law, alleging that the contested decision should be annulled on the grounds that the Commission made a manifest error of assessment by infringing the principles of legal certainty and the non-retroactive application of European Union law by unlawfully terminating the applicants' MET claim thereby unlawfully terminating without due cause the applicants claim for market economy treatment in the context of an anti-dumping investigation.