

**Judgment of the General Court of 16 September 2013 —  
Rubinetteria Cisa v Commission**

(Case T-368/10) <sup>(1)</sup>

*(Competition — Agreements, decisions and concerted parties — Bathroom fittings and fixtures markets of Belgium, Germany, France, Italy, the Netherlands and Austria — Decision finding an infringement of Article 101 TFEU and Article 53 of the EEA Agreement — Coordination of price increases and exchange of sensitive business information — Concept of infringement — 2002 Leniency Notice — Cooperation — 2006 Guidelines on the method of setting fines — Calculation of the fine — Inability to pay)*

(2013/C 325/39)

Language of the case: Italian

**Parties**

**Applicant:** Rubinetteria Cisa (Alzo Frazione di Pella, Italy) (represented by: M. Pinnarò and P. Santer, lawyers)

**Defendant:** European Commission (represented by: F. Castillo de la Torre, A. Antoniadis and L. Malferrari, Agents, assisted by A. Dal Ferro, lawyer)

**Re:**

Application for annulment of Commission Decision C(2010) 4185 final of 23 June 2010 relating to a proceeding under Article 101 TFEU and Article 53 of the EEA Agreement (Case COMP/39.092 — Bathroom Fittings and Fixtures), and, in the alternative, for reduction of the fine imposed on the applicant.

**Operative part of the judgment**

*The Court:*

1. *Dismisses the action;*
2. *Orders Rubinetteria Cisa SpA to bear its own costs and to pay those of the European Commission.*

<sup>(1)</sup> OJ C 288, 23.10.2010.

**Judgment of the General Court of 16 September 2013 —  
Villeroy & Boch Austria and Others v Commission**

(Joined Cases T-373/10, T-374/10, T-382/10 and T-402/10) <sup>(1)</sup>

*(Competition — Agreements, decisions and concerted practices — Bathroom fittings and fixtures markets of Belgium, Germany, France, Italy, the Netherlands and Austria — Decision finding an infringement of Article 101 TFEU and Article 53 of the EEA Agreement — Coordination of price increases and exchange of sensitive business information — Single infringement — Attributability of the unlawful conduct — Proof — Fines — 2006 Guidelines on the method of setting fines — Non-retroactivity — Reasonable period)*

(2013/C 325/40)

Languages of the case: German, French and Dutch

**Parties**

**Applicants:** Villeroy & Boch Austria GmbH (Mondsee, Austria) (represented by: A. Reidlinger, S. Dethof, M. Klusmann and K. Blau-Hansen, lawyers) (Case T-373/10); Villeroy & Boch AG (Mettlach, Germany) (represented by: M. Klusmann, lawyer, Prof. S. Thomas) (Case T-374/10); Villeroy & Boch SAS (Paris, France) (represented by: J. Philippe, K. Blau-Hansen, lawyers, and A. Villette, Solicitor) (Case T-382/10); and Villeroy & Boch — Belgium (Brussels, Belgium) (represented by: O. Brouwer, J. Blockx and N. Lorjé, lawyers) (Case T-402/10)

**Defendant:** European Commission (represented by: in Case T-373/10, initially, F. Castillo de la Torre, R. Sauer, F. Ronkes Agerbeek and A. Antoniadis, and, subsequently, F. Castillo de la Torre, R. Sauer and F. Ronkes Agerbeek, Agents, assisted by G. van der Wal and M. van Heezik, lawyers; in Case T-374/10, A. Antoniadis, R. Sauer and F. Ronkes Agerbeek; in Case T-382/10, F. Castillo de la Torre, F. Ronkes Agerbeek and N. von Lingen, Agents, assisted by G. van der Wal and M. van Heezik; and, in Case T-402/10, F. Castillo de la Torre and F. Ronkes Agerbeek, assisted by G. van der Wal and M. van Heezik)

**Re:**

Application for annulment of Commission Decision C(2010) 4185 final of 23 June 2010 relating to a proceeding under Article 101 TFEU and Article 53 of the EEA Agreement (Case COMP/39.092 — Bathroom Fittings and Fixtures) in so far as it concerns the applicants and, in the alternative, for reduction of the fines imposed on them.

**Operative part of the judgment**

*The Court:*

1. *In Cases T-373/10, T-382/10 and T-402/10, dismisses the actions;*