

*Defendant:* European Commission (represented by: F. Castillo de la Torre and F. Ronkes Agerbeek, acting as Agents, assisted by B. Kennelly, Barrister)

**Re:**

Applications for annulment in part 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 applicants by that decision.

**Operative part of the judgment**

*The Court:*

1. Annuls point (6) of Article 1(1) 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 the European Commission finds (i) that Allia SAS and Produits Céramique de Touraine SA participated in an infringement relating to a cartel on the French market for a period from 25 February 2004 to 9 November 2004 and (ii) that Pozzi Ginori SpA participated in an infringement relating to a cartel on the Italian market for a period other than that from 14 May 1996 to 9 March 2001;
2. Annuls Article 2(7) of Decision C(2010) 4185 final in so far as the total amount of the fine imposed on Keramag Keramische Werke AG, Koralle Sanitärprodukte GmbH, Koninklijke Sphinx BV, Pozzi Ginori and Sanitec Europe Oy exceeds EUR 50 580 701;
3. Dismisses the action as to the remainder;
4. Orders Keramag Keramische Werke, Koralle Sanitärprodukte, Koninklijke Sphinx, Allia, Produits Céramique de Touraine, Pozzi Ginori and Sanitec Europe to bear three quarters of their own costs;
5. Orders the Commission to pay a quarter of the costs incurred by Keramag Keramische Werke, Koralle Sanitärprodukte, Koninklijke Sphinx, Allia, Produits Céramique de Touraine, Pozzi Ginori and Sanitec Europe and to bear its own costs.

(<sup>1</sup>) OJ C 301, 6.11.2010.

**Judgment of the General Court of 16 September 2013 —  
Wabco Europe and Others v Commission**

(Case T-380/10) (<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 — Distortion of competition — Proof — Calculation of the fine — Cooperation during the administrative procedure — 2002 Leniency Notice — Immunity from fines — Reduction of the fine — Significant added value — 2006 Guidelines on the method of setting fines — Principle of non-retroactivity)*

(2013/C 325/45)

*Language of the case:* English

**Parties**

*Applicants:* Wabco Europe (Brussels, Belgium); Wabco Austria GesmbH (Vienna, Austria); Trane Inc. (Piscataway, New Jersey, United States); Ideal Standard Italia Srl (Milan, Italy); Ideal Standard GmbH (Bonn, Germany) (represented by: S. Völcker, F. Louis, A. Israel, N. Niejahr, lawyers, C. O'Daly, E. Batchelor, Solicitors, and F. Carlin, Barrister)

*Defendant:* European Commission (represented by: F. Castillo de la Torre, F. Ronkes Agerbeek and G. Koleva, acting as Agents)

**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 for reduction of the fines imposed on them.

**Operative part of the judgment**

*The Court:*

1. Annuls points (3) and (4) of Article 1(1) 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 the European Commission makes a finding of infringement against Trane Inc., Wabco Europe and Ideal Standard Italia Srl in respect of a cartel on the Italian market for ceramics for a period other than the period from 12 May 2000 to 9 March 2001;
2. Sets the amount of the fine imposed on Trane in Article 2(3)(a) of Decision C(2010) 4185 final at EUR 92 664 493;

3. Sets the amount of the fine imposed jointly and severally on Wabco Europe and Trane in Article 2(3)(b) of Decision C(2010) 4185 at EUR 15 820 767;
4. Sets the amount of the fine imposed jointly and severally on Ideal Standard Italia, Wabco Europe and Trane in Article 2(3)(e) of Decision C(2010) 4185 at EUR 4 520 220;
5. Dismisses the action as to the remainder;
6. Orders the Commission to pay half of the costs incurred by Wabco Europe, Wabco Austria GesmbH, Trane, Ideal Standard Italia and Ideal Standard GmbH and to bear its own costs;
7. Orders Wabco Europe, Wabco Austria, Trane, Ideal Standard Italia and Ideal Standard to bear half of their own costs.

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

#### Judgment of the General Court of 16 September 2013 — Dornbracht v Commission

(Case T-386/10) (<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 — Plea of illegality — Gravity of the infringement — Mitigating circumstances — Equal treatment — Proportionality — Non-retroactivity)*

(2013/C 325/46)

Language of the case: German

#### Parties

**Applicant:** Aloys F. Dornbracht GmbH & Co. KG (Iserlohn, Germany) (represented: initially by H. Janssen, T. Kapp and M. Franz, and subsequently by H. Janssen and T. Kapp, lawyers)

**Defendant:** European Commission (represented by: F. Castillo de la Torre and A. Antoniadis, acting as Agents, assisted by A. Böhlke, lawyer)

**Intervener in support of the defendant:** Council of the European Union (represented by: M. Simm and F. Florindo Gijón, acting as Agents)

#### Re:

Application for annulment in part 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 in that decision.

#### Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders Aloys F. Dornbracht GmbH & Co. KG to bear its own costs and pay those of the European Commission;
3. Orders the Council of the European Union to bear its own costs.

(<sup>1</sup>) OJ C 301, 6.11.2010.

#### Judgment of the General Court of 16 September 2013 — Zucchetti Rubinetteria v Commission

(Case T-396/10) (<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 — Concept of infringement — Single infringement — Relevant market — 2006 Guidelines on the method of setting fines — Gravity — Multipliers)*

(2013/C 325/47)

Language of the case: Italian

#### Parties

**Applicant:** Zucchetti Rubinetteria SpA (Gozzano, Italy) (represented by: M. Condinanzi, P. Ziotti and N. Vasile, lawyers)

**Defendant:** European Commission (represented by: F. Castillo de la Torre, A. Antoniadis and L. Malferrari, acting as Agents, assisted initially by F. Ruggeri Laderchi and A. De Matteis, and subsequently by F. Ruggeri Laderchi, lawyers)

#### 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 applicant, and, in the alternative, for cancellation or reduction of the fine imposed on it.