

**Form of order sought**

The applicant claims that the Court should:

- annul the contested decision;
- in the alternative, annul the decision categorising the measures which together constitute the ‘Spanish Tax Lease System’ (‘STLS’) as new State aid that is incompatible with the internal market;
- in the alternative, annul Articles 1 and 4 of the contested decision, which identify the investors in the Economic Interest Groupings (EIGs) as the only beneficiaries of the alleged aid and, consequently, as solely liable for its recovery;
- in the alternative, annul Article 4 of the contested decision, in so far as it orders recovery of the alleged aid in breach of general principles of EU law;
- in the alternative, annul Article 4 of the contested decision, in so far as it makes a determination as to the lawfulness of private contracts between the investors and other entities, in full or in such a way as to limit the bar on passing on the burden of recovery to the profitability of the operations; and
- order the Commission to pay the costs of these proceedings.

**Pleas in law and main arguments**

The pleas in law and main arguments are those raised in Case T-401/14 Duro Felguera SA v Commission.

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**Action brought on 9 June 2014 — Tose’e Ta’avon Bank v Council**

(Case T-435/14)

(2014/C 253/80)

*Language of the case: French*

**Parties**

*Applicant:* Tose’e Ta’avon Bank (Teheran, Iran) (represented by: J.-M. Thouvenin, avocat)

*Defendant:* Council of the European Union

**Form of order sought**

The applicant claims that the Court should:

- annul the Council’s decision to maintain the sanction imposed on the applicant as mentioned in the notice of 15 March 2014;
- declare that Council Regulation (EU) No 267/2012 of 23 March 2012 is inapplicable to it;
- declare that Council Decision 2010/413/CFSP of 26 July 2010 is inapplicable to it;
- order the Council to pay the costs.

**Pleas in law and main arguments**

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

1. First plea, alleging an error of law, in so far as the reason given for the maintenance of restrictive measures against the applicant is not among those which would allow the defendant to adopt restrictive measures.
2. Second plea, alleging an error of fact constituting a manifest error of assessment, in so far as the applicant is not managed by the Iranian state and does not provide financial support for the Iranian government.

3. Third plea, alleging failure to state reasons.
4. Fourth plea, alleging infringement of the principle of proportionality and the right to property.
5. Fifth plea, alleging illegality of Regulation No 267/2012 <sup>(1)</sup> and Decision 2010/413 <sup>(2)</sup>, pursuant to which the contested decision was taken in so far as, on the one hand, they were taken in violation of the obligation to state reasons laid down in Article 296 TFEU and in breach of Article 215 TFEU and, on the other hand, their relevant provisions on the basis of which the restrictive measures imposed on the applicant were maintained violate the treaties and the Charter of Fundamental Rights of the European Union.

<sup>(1)</sup> Council Regulation (EU) No 267/2012 of 23 March 2012 concerning restrictive measures against Iran and repealing Regulation (EU) No 961/2010 (OJ 2012 L 88, p. 1).

<sup>(2)</sup> 2010/413/CFSP: Council Decision of 26 July 2010 concerning restrictive measures against Iran and repealing Common Position 2007/140/CFSP (OJ 2010 L 195, p. 39).

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**Action brought on 9 June 2014 — Neka Novin v Council**

**(Case T-436/14)**

(2014/C 253/81)

*Language of the case: French*

**Parties**

*Applicant:* Neka Novin (Yusef Abad, Iran) (represented by: L. Vidal, lawyer)

*Defendant:* Council of the European Union

**Form of order sought**

The applicant claims that the Court should:

- annul the Council's decision to maintain the sanction imposed on the applicant as mentioned in the notice of 15 March 2014;
- order the Council to pay the costs.

**Pleas in law and main arguments**

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

1. First plea, alleging an error of law in so far as the grounds given for maintaining the restrictive measures imposed on the applicant are not sufficient.
2. Second plea, alleging a manifest error of assessment in so far as the defendant wrongly considered that the applicant had acquired specialised equipment that was of direct application in the Iranian nuclear program.
3. Third plea, alleging infringement of proportionality and the right to property.

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**Action brought on 16 June 2014 — Metalúrgica Galaica v Commission**

**(Case T-442/14)**

(2014/C 253/82)

*Language of the case: Spanish*

**Parties**

*Applicant:* Metalúrgica Galaica, SA (Narón, A Coruña, Spain) (represented by: A. López Gómez, lawyer)

*Defendant:* European Commission