

Judgment of the General Court of 25 November 2014 — Ryanair v Commission(Case T-512/11) ⁽¹⁾**(State aid — Aviation sector — Irish air travel tax — Exemption for transit and transfer passengers — Decision finding no State aid — Failure to open the formal investigation procedure — Serious difficulties — Procedural rights of parties concerned)**

(2015/C 016/49)

Language of the case: English

Parties*Applicant:* Ryanair Ltd (Dublin, Ireland) (represented by: E. Vahida and I.-G. Metaxas-Maragkidis, lawyers)*Defendant:* European Commission (represented by: L. Flynn, D. Grespan and T. Maxian Rusche, acting as Agents)*Interveners in support of the defendant:* Federal Republic of Germany (represented by: T. Henze and K. Petersen, acting as Agents); and Ireland (represented by: E. Creedon, A. Joyce and E. Mc Phillips, acting as Agents, assisted by E. Regan SC)**Re:**

Application for annulment in part of Commission Decision C(2011) 4932 final of 13 July 2011 in so far as it finds that the non-application of the Irish air travel tax to transit and transfer passengers does not constitute State aid within the meaning of Article 107(1) TFEU (State aid SA.29064 (2011C ex 2011/NN)).

Operative part of the judgment*The Court:*

- 1) *Annuls Commission Decision C(2011) 4932 final of 13 July 2011 in so far as it finds that the non-application of the Irish air travel tax to transit and transfer passengers does not constitute State aid within the meaning of Article 107(1) TFEU (State aid SA.29064 (2011C ex 2011/NN));*
- 2) *Orders the European Commission to bear its own costs and to pay those incurred by Ryanair Ltd;*
- 3) *Orders the Federal Republic of Germany and Ireland to bear their own costs.*

⁽¹⁾ OJ C 347, 26.11.2011.

Judgment of the General Court of 26 November 2014 — Energetický a průmyslový and EP Investment Advisors v Commission(Case T-272/12) ⁽¹⁾**(Competition — Administrative procedure — Decision finding a refusal to submit to an inspection and imposing a fine — Article 23(1)(c) of Regulation (EC) No 1/2003 — Presumption of innocence — Rights of the defence — Proportionality — Obligation to state reasons)**

(2015/C 016/50)

Language of the case: English

Parties*Applicants:* Energetický a průmyslový holding a.s. (Brno, Czech Republic); and EP Investment Advisors s.r.o. (Prague, Czech Republic) (represented initially by K. Desai, Solicitor, J. Schmidt and M. Peristeraki, and subsequently by J. Schmidt, R. Klotz and M. Hofmann, lawyers)*Defendant:* European Commission (represented initially by A. Antoniadis and R. Sauer, and subsequently by R. Sauer and C. Vollrath, Agents)