

**Operative part of the judgment**

*The Court:*

- 1) *Dismisses the action.*
- 2) *Orders Oracle America, Inc. to pay the costs.*

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<sup>(1)</sup> OJ C 344, 23.11.2013.

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**Action brought on 12 November 2014 — Comber v Commission**

**(Case T-752/14)**

(2015/C 034/46)

*Language of the case: German*

**Parties**

*Applicant:* Comber SA (Lausanne, Switzerland) (represented by: D. Heel, lawyer)

*Defendant:* European Commission

**Form of order sought**

The applicant claims that the Court should:

- annul the Commission Decision of 16 July 2014 (REM 05/2013) on the refusal of the application for remission of import duties amounting to EUR 461 415,12;
- order the defendant to pay the costs of these proceedings.

**Pleas in law and main arguments**

In support of the action, the applicant submits that the post-clearance customs duties for the import of linen fabric from Latvia in the years 1999 to 2002 must be remitted in accordance with Article 239 of Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code (OJ 1992 L 302, p. 1) due to the presence of special circumstances. The applicant cites as special circumstances serious breaches of obligations by the Latvian customs authorities, serious breaches of obligations by the European Commission/OLAF and serious misconduct of the German customs authorities. In the applicant's view, those circumstances cannot be attributed to obvious negligence on its part.

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**Action brought on 10 November 2014 — Efler and Others v Commission**

**(Case T-754/14)**

(2015/C 034/47)

*Language of the case: German*

**Parties**

*Applicants:* Michael Efler (Berlin, Germany), Pedro De Birto E. Abreu Krupenski (Lisbon, Portugal), Susan Vance George (Paris, France), Otto Jaako Kronqvist (Helsinki, Finland), Blanche Léonie Denise Weber (Luxembourg, Luxembourg), John Jephson Hilary (London, United Kingdom), Ileana-Lavinia Andrei (Bucharest, Romania) (represented by: Professor B. Kempen)

*Defendant:* European Commission