

*Defendant:* Council of the European Union (represented by: S. Boelaert, Agent, and by R. Bierwagen and C. Hipp, lawyers)

*Interveners in support of the defendant:* European Commission (represented by: J.-F. Brakeland and M. França, Agents); and Maxcom Ltd (Plovdiv, Bulgaria) (represented by: L. Ruessmann, lawyer, and J. Beck, Solicitor)

**Re:**

Application for the partial annulment of Council Implementing Regulation (EU) No 501/2013 of 29 May 2013 extending the definitive anti-dumping duty imposed by Implementing Regulation (EU) No 990/2011 on imports of bicycles originating in the People's Republic of China to imports of bicycles consigned from Indonesia, Malaysia, Sri Lanka and Tunisia, whether declared as originating in Indonesia, Malaysia, Sri Lanka and Tunisia or not (OJ 2013 L 153, p. 1).

**Operative part of the judgment**

*The Court:*

- 1) *Annuls Article 1(1) and (3) of Council Implementing Regulation (EU) No 501/2013 of 29 May 2013 extending the definitive anti-dumping duty imposed by Implementing Regulation (EU) No 990/2011 on imports of bicycles originating in the People's Republic of China to imports of bicycles consigned from Indonesia, Malaysia, Sri Lanka and Tunisia, whether declared as originating in Indonesia, Malaysia, Sri Lanka and Tunisia or not, to the extent that it concerns City Cycle Industries;*
- 2) *Orders the Council of the European Union to pay the costs incurred by City Cycle Industries and to bear its own costs;*
- 3) *Orders the European Commission and Maxcom Ltd to bear their own costs.*

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<sup>(1)</sup> OJ C 274, 21.9.2013.

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**Action brought on 12 February 2015 — Alsharghawi v Council**

**(Case T-66/15)**

(2015/C 146/53)

*Language of the case: French*

**Parties**

*Applicant:* Bashir Saleh Bashir Alsharghawi (Johannesburg, South Africa) (represented by: É. Moutet, lawyer)

*Defendant:* Council of the European Union

**Form of order sought**

The applicant claims that the Court should:

- Declare that the Council has failed to comply with its obligations under the FEU Treaty by not reviewing his situation;
- Order the Council to review his situation;
- Order the Council to bear its own costs and to pay those incurred by the applicant.

### **Pleas in law and main arguments**

In support of his action, the applicant relies on a single plea in law alleging that by not acting on his application for review, the Council failed to comply with its obligations according to the legislation and case-law of the European Union.

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### **Action brought on 18 February 2015 — KENUP Foundation a.o./EIT**

**(Case T-76/15)**

(2015/C 146/54)

*Language of the case: English*

### **Parties**

*Applicants:* KENUP Foundation (Kalkara, Malta), Candena GmbH (Lüneburg, Germany), Center odličnosti za biosenzoriko, instrumentacijo in procesno kontrolo (CO BIK) (Ajdovščina, Slovenia), Evotec AG (Hamburg, Germany) (represented by: U. Soltész, C. Wagner and H. Weiß, lawyers)

*Defendant:* European Institute of Innovation and Technology (EIT)

### **Form of order sought**

The applicants claim that the Court should:

- annul the decisions of the European Institute of Innovation and Technology, of 9 December 2014, on the designation of the Knowledge and Innovation Communities (02008.EIT.2014.I.EIT.GB) and on the rejection of the KENUP proposal as notified by letter of 10 December 2014 (012234.EIT.D.2014.MK) and
- order the EIT to pay the applicants' costs.

### **Pleas in law and main arguments**

In support of the action, the applicants rely on nine pleas in law.

1. First plea in law, alleging that the contested decisions rejecting the KENUP proposal were not taken by the competent EU body.
2. Second plea in law, alleging that the EIT failed to follow the applicable selection procedure when adopting the contested decisions.
3. Third plea in law, alleging that the EIT failed to state reasons by not notifying the designation decision to the applicants.
4. Fourth plea in law, alleging that the evaluation of the KENUP proposal conducted by the EIT's external expert violates the principle of equal treatment.
5. Fifth plea in law, alleging that the evaluation of the KENUP proposal conducted by the EIT's external experts violates the principles of transparency and the obligation to state reasons.
6. Sixth plea in law, alleging that the evaluation of the KENUP proposal conducted by the EIT's external experts violates the Horizon 2020 Participation Regulation's provisions on ethical review.
7. Seventh plea in law, alleging that the evaluation of the KENUP proposal conducted by the EIT's external experts contains manifest errors in the assessment of the proposal.