

Order of the General Court of 14 April 2015 — SolarWorld and Solsonica v Commission**(Case T-393/13) ⁽¹⁾****(Dumping — Imports of crystalline silicon photovoltaic modules and key components (cells and wafers) originating in or consigned from China — Provisional anti-dumping duty)**

(2015/C 205/42)

Language of the case: English

Parties

Applicants: SolarWorld AG (Bonn, Germany) and Solsonica SpA (Cittaducale, Italy), (represented by: L. Ruessmann, lawyer, and J. Beck, Solicitor)

Defendant: European Commission (represented by: J.-F. Brakeland and T. Maxian Rusche, acting as Agents)

Re:

Application, first, for annulment of Commission Regulation (EU) No 513/2013 of 4 June 2013 imposing a provisional anti-dumping duty on imports of crystalline silicon photovoltaic modules and key components (i.e. cells and wafers) originating in or consigned from the People's Republic of China and amending Regulation (EU) No 182/2013 making these imports originating in or consigned from the People's Republic of China subject to registration (OJ 2013 L 152, p. 5), to the extent that the rate of those provisional duties was established, for the period from 6 June to 5 August 2013, at a level which eliminates neither the dumping nor the loss, secondly, an application for an order that the customs authorities of the Member States be directed to apply the full anti-dumping duty rates as from 6 June 2013 and, thirdly, an action in non-contractual liability against the Commission for the loss that the applicants allegedly suffered due to the application, for the period from 6 June to 5 August 2013, of the provisional anti-dumping duties at the rate introduced by Regulation No 513/2013.

Operative part of the order

- 1) *The second head of claim of SolarWorld AG and Solsonica SpA, seeking an order that the customs authorities of the Member States be directed to apply the anti-dumping duty rates set out in Article 1(2)(ii) of Commission Regulation (EU) No 513/2013 of 4 June 2013 imposing a provisional anti-dumping duty on imports of crystalline silicon photovoltaic modules and key components (i.e. cells and wafers) originating in or consigned from the People's Republic of China and amending Regulation (EU) No 182/2013 making these imports originating in or consigned from the People's Republic of China subject to registration, as from 6 June 2013, is manifestly inadmissible.*
- 2) *There is no longer any need to adjudicate on the action for annulment of Regulation No 513/2013, nor on the action for damages.*
- 3) *SolarWorld and Solsonica shall bear their own costs, as well as one-third of the costs of the European Commission. The latter shall bear the remainder of its own costs.*

⁽¹⁾ OJ C 274, 21.9.2013.

Order of the General Court of 28 April 2015 — Dyckerhoff Polska v Commission**(Case T-284/14) ⁽¹⁾****(Action for annulment — Time-limit for bringing an action — Out of time — No force majeure or unforeseeable circumstances — Manifest inadmissibility — Plea of illegality)**

(2015/C 205/43)

Language of the case: Polish

Parties

Applicant: Dyckerhoff Polska sp. z o.o. (Nowiny, Poland) (represented by: K. Kowalczyk, lawyer)