

**Judgment of the General Court of 16 December 2015 — Martinair Holland v Commission**(Case T-67/11) <sup>(1)</sup>

*(Competition — Agreements, decisions and concerted practices — European airfreight market — Agreements and concerted practices in respect of several elements of the pricing of airfreight services (imposition of fuel and security surcharges, refusal to pay commission on surcharges) — Article 101 TFEU, Article 53 of the EEA Agreement and Article 8 of the Agreement between the European Community and Switzerland on Air Transport — Obligation to state reasons)*

(2016/C 048/45)

Language of the case: English

**Parties**

*Applicant:* Martinair Holland NV (Haarlemmermeer, Netherlands) (represented by: R. Wesseling, lawyer)

*Defendant:* European Commission (represented initially by S. Noë, N. von Lingen and C. Giolito, and subsequently by S. Noë, C. Giolito and A. Dawes, acting as Agents, and by B. Doherty, Barrister)

**Re:**

Application for annulment of Commission Decision C(2010) 7694 final of 9 November 2010 relating to a proceeding under Article 101 TFEU, Article 53 of the EEA Agreement and Article 8 of the Agreement between the European Community and the Swiss Confederation on Air Transport (Case COMP/39258 — Airfreight), in so far as it concerns the applicant, or, at the very least, for annulment of Article 5(b) of that decision, in so far as it imposes a fine on the applicant, or for the reduction of that fine.

**Operative part of the judgment**

*The Court:*

1. Annuls Commission Decision C(2010) 7694 final of 9 November 2010 relating to a proceeding under Article 101 TFEU, Article 53 of the EEA Agreement and Article 8 of the Agreement between the European Community and the Swiss Confederation on Air Transport (Case COMP/39258 — Airfreight), in so far as it concerns Martinair Holland NV;
2. Orders the European Commission to bear its own costs and to pay those of Martinair Holland.

<sup>(1)</sup> OJ C 95, 26.3.2011.

**Judgment of the General Court of 18 November 2015 — Einhell Germany and Others v Commission**(Case T-73/12) <sup>(1)</sup>

*(Dumping — Imports of certain compressors originating in China — Partial refusal to refund the anti-dumping duties paid — Determination of the export price — Deduction of anti-dumping duties — Adjustment of the temporal effects of an annulment)*

(2016/C 048/46)

Language of the case: English

**Parties**

*Applicants:* Einhell Germany AG (Landau an der Isar, Germany); Hans Einhell Nederlands BV (Breda, Netherlands); Einhell France SAS (Villepinte, France); Hans Einhell Österreich GmbH (Vienna, Austria) (represented by: R. MacLean, Solicitor, and A. Bochon, lawyer)