

GENERAL COURT

Judgment of the General Court of 18 October 2016 — Crown Equipment (Suzhou) and Crown Gabelstapler v Council

(Case T-351/13) ⁽¹⁾

(Dumping — Importation of hand pallet trucks and their essential parts originating in China — Definitive anti-dumping duty — Action for annulment — Direct concern — Individual concern — Admissibility — Determination of normal value — Article 2(7)(a) of Regulation (EC) No 1225/2009 — ‘Lesser duty’ rule — Article 9(4) of Regulation No 1225/2009 — Obligation to state reasons)

(2016/C 441/18)

Language of the case: English

Parties

Applicants: Crown Equipment (Suzhou) Co. Ltd (Suzhou, China) and Crown Gabelstapler GmbH & Co. KG (Roding, Germany) (represented by: K. Neuhaus, H.-J. Freund and B. Ecker, lawyers)

Defendant: Council of the European Union (represented by: S. Boelaert and B. Driessen, acting as Agents, B. O'Connor, Solicitor, and S. Gubel, lawyer)

Intervener in support of the defendant: European Commission (represented by: M. França and T. Maxian Rusche, acting as Agents)

Re:

Action pursuant to Article 263 TFEU for annulment of Council Implementing Regulation (EU) No 372/2013 of 22 April 2013 amending Implementing Regulation (EU) No 1008/2011 imposing a definitive anti-dumping duty on imports of hand pallet trucks and their essential parts originating in the People's Republic of China following a partial interim review pursuant to Article 11(3) of Regulation (EC) No 1225/2009 (OJ 2013 L 112, p. 1).

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders Crown Equipment (Suzhou) Co. Ltd and Crown Gabelstapler GmbH & Co. KG to bear their own costs and to pay those incurred by the Council of the European Union;
3. Orders the European Commission to bear its own costs.

⁽¹⁾ OJ C 252, 31.8.2013.

Judgment of the General Court of 18 October 2016 — August Storck v EUIPO — Chiquita Brands (Fruitfuls)

(Case T-367/14) ⁽¹⁾

(Community trade mark — Revocation proceedings — EU word mark Fruitfuls — Genuine use — Article 51(1)(a) and (2) of Regulation (EC) No 207/2009)

(2016/C 441/19)

Language of the case: English

Parties

Applicant: August Storck KG (Berlin, Germany) (represented by: I. Rohr, A.-C. Richter, P. Goldenbaum, T. Melchert and T. Reher, lawyers)