

**Judgment of the General Court of 15 December 2016 — Infineon Technologies v Commission**(Case T-758/14) <sup>(1)</sup>

*(Competition — Agreements, decisions and concerted practices — Smart card chips — Decision finding an infringement of Article 101 TFEU — Exchanges of commercially sensitive information — Rights of defence — Infringement by object — Proof — Limitation period — Single and continuous infringement — 2006 Guidelines on the method of setting fines — Value of sales)*

(2017/C 038/34)

Language of the case: English

**Parties**

*Applicant:* Infineon Technologies AG (Neubiberg, Germany) (represented by: I. Brinker, U. Soltész and P. Linsmeier, lawyers)

*Defendant:* European Commission (represented by: A. Biolan, A. Dawes, J. Norris-Usher and P. Van Nuffel, acting as Agents)

**Re:**

Application under Article 263 TFEU for the annulment of Commission Decision C(2014) 6250 final of 3 September 2014 relating to proceedings under Article 101 TFEU and Article 53 of the EEA Agreement (Case AT.39574 — Smart Card Chips) or, in the alternative, for a reduction in the fine imposed on the applicant.

**Operative part of the judgment**

*The Court:*

1. Dismisses the action;
2. Orders Infineon Technologies AG to bear its own costs and to pay those of the European Commission.

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<sup>(1)</sup> OJ C 107, 30.3.2015.

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**Judgment of the General Court of 15 December 2016 – Philips and Philips France v Commission**(Case T-762/14) <sup>(1)</sup>

*(Competition — Agreements, decisions and concerted practices — Smart card chips — Decision finding an infringement of Article 101 TFEU — Exchange of commercially sensitive information — Infringement by object — Single and continuous infringement — Principle of sound administration — Duty of care — Proof — 2006 Leniency Notice — Settlement Notice — Limitation period — 2006 Guidelines on the method of setting fines — Value of sales)*

(2017/C 038/35)

Language of the case: English

**Parties**

*Applicants:* Koninklijke Philips NV (Eindhoven, Netherlands), Philips France, (Suresnes, France) (represented by: J. de Pree, S. Molin, A. ter Haar and T.M. Snoep, lawyers)

*Defendant:* European Commission (represented by: A. Biolan, A. Dawes, J. Norris-Usher and P. Van Nuffel, acting as Agents)

**Re:**

Application under Article 263 TFEU for the annulment of Commission Decision C(2014) 6250 final of 3 September 2014 relating to proceedings under Article 101 TFEU and Article 53 of the EEA Agreement (Case AT.39574 — Smart Card Chips) or, in the alternative, for the cancellation of or a reduction in the fine imposed on the applicants.