

2. Orders Tudapetrol Mineralölerzeugnisse Nils Hansen KG to pay the costs.

<sup>(1)</sup> OJ C 127, 20.4.2015.

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**Judgment of the Court (Fifth Chamber) of 16 February 2017 — H&R ChemPharm GmbH v European Commission**

(Case C-95/15 P) <sup>(1)</sup>

*(Appeal — Competition — Agreements, decisions and concerted practices — European market for paraffin wax and the German market for slack wax — Price-fixing and market-sharing — Obligation to state reasons — Distortion of the evidence — Regulation (EC) No 1/2003 — Article 23(3) — Calculation of the amount of the fine — The 2006 Guidelines on the method of setting fines — Principle of proportionality)*

(2017/C 112/07)

Language of the case: German

**Parties**

Appellant: H&R ChemPharm GmbH (represented by: M. Klusmann, lawyer and S. Thomas, Professor)

Other party to the proceedings: European Commission (represented by: R. Sauer, C. Vollrath and L. Wildpanner, acting as Agents, and by A. Böhlke, lawyer)

**Operative part of the judgment**

The Court:

1. Dismisses the appeal;
2. Orders H&R ChemPharm GmbH to pay the costs.

<sup>(1)</sup> OJ C 138, 27.4.2015.

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**Judgment of the Court (First Chamber) of 16 February 2017 (request for a preliminary ruling from the Bundesgerichtshof — Germany) — Elisabeth Schmitt v TÜV Rheinland LGA Products GmbH**

(Case C-219/15) <sup>(1)</sup>

*(Reference for a preliminary ruling — Approximation of laws — Industrial policy — Directive 93/42/EEC — Checks on the conformity of medical devices — Notified body appointed by the manufacturer — Obligations of that body — Defective breast implants — Implants manufactured using silicone — Liability of the notified body)*

(2017/C 112/08)

Language of the case: German

**Referring court**

Bundesgerichtshof

**Parties to the main proceedings**

Applicant: Elisabeth Schmitt

Defendant: TÜV Rheinland LGA Products GmbH