

2. Orders Edeka-Handelsgesellschaft Hessenring mbH to pay the costs.

<sup>(1)</sup> OJ C 27, 25.1.2016.

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**Judgment of the General Court of 5 February 2018 — PTC Therapeutics International v EMA  
(Case T-718/15) <sup>(1)</sup>**

**(Access to documents — Regulation (EC) No 1049/2001 — Document held by the EMA and submitted in the context of the application for marketing authorisation for the medicinal product Translarna — Decision to grant a third party access to the document — Exception relating to the protection of commercial interests — No general presumption of confidentiality)**

(2018/C 104/38)

Language of the case: English

**Parties**

*Applicant:* PTC Therapeutics International Ltd (Dublin, Ireland) (represented initially by: C. Thomas, Barrister, G. Castle, B. Kelly, H. Billson, Solicitors, and M. Demetriou QC, and, subsequently, by C. Thomas, M. Demetriou, G. Castle and B. Kelly)

*Defendant:* European Medicines Agency (EMA) (represented by: T. Jabłoński, A. Spina, S. Marino, A. Rusanov and N. Rampal Olmedo, acting as Agents)

*Intervener in support of the applicant:* European Confederation of Pharmaceutical Entrepreneurs (Eucope) (represented by: D. Scannell, Barrister, and S. Cowlshaw, Solicitor)

**Re:**

Action under Article 263 TFEU for the annulment of Decision EMA/722323/2015 of the EMA of 25 November 2015, granting to a third party, pursuant to Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents (OJ 2001 L 145, p. 43), access to a document containing information submitted in the context of an application for marketing authorisation for the medicinal product Translarna.

**Operative part of the judgment**

*The Court:*

1. Dismisses the action;
2. Orders PTC Therapeutics International Ltd to bear its own costs and to pay those incurred by the European Medicines Agency (EMA), including those relating to the application for interim measures;
3. Orders the European Confederation of Pharmaceutical Entrepreneurs (Eucope) to bear its own costs.

<sup>(1)</sup> OJ C 59, 15.2.2016.

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