

Appeal brought on 24 September 2018 by NKT Verwaltungs GmbH, formerly nkt cables GmbH, NKT A/S, formerly NKT Holding A/S against the judgment of the General Court (Eighth Chamber) delivered on 12 July 2018 in Case T-447/14: NKT Verwaltungs and NKT v Commission

(Case C-607/18 P)

(2018/C 427/38)

Language of the case: English

Parties

Appellants: NKT Verwaltungs GmbH, formerly nkt cables GmbH, NKT A/S, formerly NKT Holding A/S (represented by: B. Creve, advocaat, M. Kofmann, advokat)

Other party to the proceedings: European Commission

Form of order sought

The appellants claim that the Court should:

- set aside the judgment under appeal in whole or in part;
- annul the decision at issue ⁽¹⁾ in whole or in part;
- in the alternative, refer the case back to the General Court for determination in accordance with the judgment of the Court of Justice;
- order a measure of organisation; and
- order the Commission to pay the costs of both the appeal proceedings and the proceedings before the General Court.

Pleas in law and main arguments

First plea: The General Court erroneously determined the territorial scope of the infringement.

Second plea: The General Court committed errors in law when assessing the scope of the SCI ⁽²⁾ and the scope of NKT's participation in and awareness of the SCI.

Third plea: The General Court committed errors in law when holding that the appellants' rights of defence had not been infringed.

Fourth plea: The General Court committed errors in law when rejecting the appellants' plea for an annulment or reduction of the fine.

⁽¹⁾ Commission Decision C(2014) 2139 final of 2 April 2014 relating to a proceeding under Article 101 of the Treaty on the Functioning of the European Union and Article 53 of the EEA Agreement.

⁽²⁾ Single and continuous infringement.

Action brought on 2 October 2018 — European Commission v Republic of Poland

(Case C-619/18)

(2018/C 427/39)

Language of the case: Polish

Parties

Applicant: European Commission (represented by K. Banks, H. Krämer and S. Kaleda, acting as Agents)

Defendant: Republic of Poland