



C/2023/976

27.11.2023

Judgment of the General Court of 11 October 2023 — DCM Film Distribution v Commission

(Case T-760/21) ⁽¹⁾

(Culture — Creative Europe Programme (2014 to 2020) — MEDIA Sub-programme — Call for proposals EACEA/22/2019 — EACEA decision rejecting an application for failing to meet the eligibility criteria — Commission decision dismissing the administrative appeal against the EACEA decision — Concept of ‘European company’ — Grant open only to applicants owned, directly or by majority participation, by nationals of a Member State of the European Union or by nationals of other European countries participating in the sub-programme — Errors of law and of assessment — Equal treatment — Proportionality)

(C/2023/976)

Language of the case: English

Parties

Applicant: DCM Film Distribution GmbH (Berlin, Germany) (represented by: A. Huttenlauch, M. Klasse and P. Hesse, lawyers)

Defendant: European Commission (represented by: H. van Vliet, T. Isacu de Groot and E. Stamate, acting as Agents)

Intervener in support of the defendant: European Education and Culture Executive Agency (represented by H. Monet, S. Dorémus and N. Sbrilli, acting as Agents)

Re:

By its action under Article 263 TFEU, the applicant seeks the annulment of Commission Implementing Decision C(2021) 7095 final of 28 September 2021, dismissing the administrative appeal brought under Article 22(1) of Council Regulation (EC) No 58/2003 of 19 December 2002 laying down the statute for executive agencies to be entrusted with certain tasks in the management of Community programmes (OJ 2003 L 11, p. 1) against the decision of the European Education and Culture Executive Agency (EACEA) of 2 July 2021 rejecting its application for a grant in the context of the call for proposals ‘Support for the distribution of non-national films — Distribution and Sales Agents Automatic Support’ (EACEA/22/2019).

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders DCM Film Distribution GmbH to bear its own costs and to pay those incurred by the European Commission;
3. Orders the European Education and Culture Executive Agency (EACEA) to bear its own costs.

⁽¹⁾ OJ C 51, 31.1.2022.