



C/2026/89

5.1.2026

Action brought on 14 November 2025 – European Parliament v European Commission

(Case C-727/25)

(C/2026/89)

Language of the case: English

Parties

Applicant: European Parliament (represented by: I. Anagnostopoulou, C. Dima, P. O'Sullivan and L. Visaggio, Agents)

Defendant: European Commission

The applicant claims that the Court should:

- annul the Commission Decision ⁽¹⁾ of 16 July 2025 to withdraw the proposal for a Regulation of the European Parliament and of the Council on standard essential patents and amending Regulation (EU) 2017/1001;
- order the Commission to pay the costs.

Pleas in law and main arguments

First plea in law, alleging that the contested decision breaches the principles of conferral of powers and of institutional balance.

The applicant claims that, by deciding to withdraw the proposal at issue, the Commission prematurely brought the legislative procedure to an end without legitimate grounds supported by cogent evidence and arguments for doing so, and thus impermissibly encroached upon the legislative powers of the European Parliament and of the Council.

Second plea in law, alleging a violation of the duty of sincere cooperation between the institutions as laid down in Article 13(2) TEU.

The applicant submits that the Commission breached the duty of mutual sincere cooperation in two ways: first, by not having due regard to the concerns of the Parliament as co-legislator; second, by failing to clarify the reasons underlying the decision to withdraw the legislative proposal at issue.

⁽¹⁾ OJ C, C/2025/5423.