

**Judgment of the Court of First Instance (Fourth Chamber) of 12 July 2007 —
CB v Commission
(Case T-266/03)**

Competition — Agreements, decisions and concerted practices — Bankcards —
Decision ordering an investigation — Article 14(3) of Regulation No 17 —
Statement of reasons — Proportionality

1. *Competition — Administrative procedure — Decision ordering an investigation — Duty to state reasons — Scope (Art. 253 EC; Council Regulation No 17, Art. 14(3)) (see paras 36, 37)*
2. *Competition — Administrative procedure — Decision ordering an investigation — Respect for the principle of proportionality (Council Regulation No 17, Art. 14(3)) (see paras 62-64)*
3. *Competition — Administrative procedure — Commission's powers of investigation — Scope — Access to the premises of undertakings (Council Regulation No 17, Art. 14) (see paras 69-72)*
4. *Competition — Administrative procedure — Commission's powers of investigation — Decision ordering an investigation — Request for assistance addressed to national authorities — Judicial review — Exclusive competence of the national court (Council Regulation No 17, Art. 14(6)) (see para. 75)*

Re:

ACTION for, firstly, the annulment of Commission Decision C(2003) 1524/9 of 7 May 2003 in Case COMP/D1/38.606 ordering Groupement des cartes bancaires and its subsidiaries to submit to an investigation under Article 14(3) of Council Regulation No 17: First Regulation implementing Articles [81] and [82] of the Treaty (OJ, English Special Edition 1959-1962, p. 87), as amended, and, secondly, action for the removal from the file of all documents and other evidence brought to the knowledge of the Commission during the investigation and for their return to the applicant.

Operative part

The Court:

1. Dismisses the action;
2. Orders the applicant to pay the costs.

Judgment of the Court of First Instance (Fourth Chamber) of 12 July 2007 — AEPI v Commission (Case T-229/05)

Competition — Copyright and related rights — Regulation (EC) No 1/2003 —
Obligations relating to investigation of complaints — Absence of Community
interest — Rejection

1. *Competition — Administrative procedure — Examination of complaints —
Determination of priorities by the Commission (Arts 81 EC, 82 EC and 85(1)
EC) (see paras 38-41, 44, 60, 61)*
2. *Competition — Agreements, decisions and concerted practices — Effect on
trade between Member States — Criteria (Art. 81(1) EC) (see paras 42, 43)*

Re:

ACTION for annulment of Commission Decision SG-Greffe (2005) D/201832 of 18 April 2005 rejecting a complaint concerning alleged infringement of Articles 81 EC and 82 EC by Greek organisations for collective management of rights related to copyright in music.