

**Order of the Court of First Instance of 24 September 2009  
— Viasat Broadcasting UK v Commission**

(Case T-16/05) <sup>(1)</sup>

*(State aid — Recapitalisation of a public service broadcaster following a first decision ordering the recovery of incompatible State aid — Decision not to raise objections — Annulment of the first decision — No need to adjudicate)*

(2009/C 282/89)

Language of the case: Danish

**Parties**

*Applicant:* Viasat Broadcasting UK Ltd (West Drayton, Middlesex, United Kingdom) (represented by: S. Hjelmberg and M. Honoré, lawyers)

*Defendant:* Commission of the European Communities (represented by: H. Støvlbæk and M. Niejahr, Agents)

*Interveners in support of the applicant:* SBS TV A/S, formerly TV Danmark A/S (Skovlunde, Denmark); and SBS Danish Television Ltd, formerly Kanal 5 Denmark Ltd (Hounslow, Middlesex, United Kingdom) (represented initially by D. Vandermeersch, K.-U. Karl, K. Nordlander and H. Peytz, and subsequently by D. Vandermeersch, K.-U. Karl and H. Peytz, lawyers)

*Interveners in support of the defendant:* Kingdom of Denmark, (represented by: J. Molde, Agent, and by P. Biering and K. Lundgaard Hansen, lawyers); and TV 2/Danmark A/S (Odense, Denmark) (represented by: O. Koktvedgaard and M. Thorninger, lawyers)

**Re:**

Application for annulment of Commission Decision C(2004) 3632 final of 6 October 2004 relating to the recapitalisation of TV 2/Danmark A/S.

**Operative part of the order**

1. There is no further need to adjudicate on this action;
2. Each party is ordered to bear its own costs.

<sup>(1)</sup> OJ C 82, 2.4.2005.

**Order of the Court of First Instance of 5 October 2009 —  
Landesanstalt für Medien Nordrhein-Westfalen v  
Commission**

(Case T-2/08) <sup>(1)</sup>

*(Actions for annulment — State aid — Not individually concerned — Inadmissibility)*

(2009/C 282/90)

Language of the case: German

**Parties**

*Applicant:* Landesanstalt für Medien Nordrhein-Westfalen (Düsseldorf, Germany) (represented by: A. Rosenfeld and G.-B. Lehr, lawyers)

*Defendant:* Commission of the European Communities (represented by: K. Gross and B. Martenczuk, Agents)

*Intervener in support of the applicant:* Federal Republic of Germany (represented by: M. Lumma and J. Möller, Agents)

**Re:**

Application for annulment of Commission Decision 2008/708/EC of 23 October 2007 on the State aid C 34/06 (ex N 29/05, ex CP 13/04) which the Federal Republic of Germany is planning to implement for the introduction of digital terrestrial television (DVB-T) in North Rhine-Westphalia (OJ 2008 L 236, p. 10).

**Operative part of the order**

1. The action is dismissed as inadmissible;
2. The Landesanstalt für Medien Nordrhein-Westfalen is ordered to bear its own costs and to pay those incurred by the Commission of the European Communities;
3. The Federal Republic of Germany is ordered to bear its own costs.

<sup>(1)</sup> OJ C 64, 8.3.2008.