

Order of the Court of 11 September 2008 — Coats Holdings Ltd, J & P Coats Ltd v Commission of the European Communities

(Case C-468/07 P) ⁽¹⁾

(Appeal — Article 119 of the Rules of Procedure — Competition — Agreements, decisions and concerted practices — Fine — Claim seeking reduction of the fine set by the Court of First Instance)

(2009/C 69/17)

Language of the case: English

Parties

Appellants: Coats Holdings Ltd, J & P Coats Ltd (represented by: W. Sibree and C. Jeffs, Solicitors)

Other party to the proceedings: Commission of the European Communities (represented by: F. Castillo de la Torre and K. Mojzesovicz, Agents)

Re:

Appeal against the judgment delivered by the Second Chamber of the Court of First Instance on 12 September 2007 in Case T-36/05 *Coats Holdings Ltd and J & P Coats Ltd v Commission of the EC* by which the Court partly annulled Commission Decision C(2004) 4221 final of 26 October 2004 relating to a proceeding under Article 81 EC (Case COMP/F-1/38.338 — PO/Needles) concerning market sharing agreements in respect of haberdashery products and geographic market sharing agreements, and set the amount of the fine imposed on the applicants at EUR 20 million — Application for the fine to be reduced

Operative part of the order

1. *The appeal is dismissed.*
2. *Coats Holdings Ltd and J & P Coats Ltd are ordered to pay the costs.*

⁽¹⁾ OJ C 297, 8.12.2007.

Order of the Court of 25 November 2008 — Territorio Energia Ambiente SpA (TEA) v Commission of the European Communities

(Case C-500/07 P) ⁽¹⁾

(Appeal — Action for annulment — Time limit for bringing proceedings — Starting point — Action seeking a ruling from the Court of First Instance on the personal scope of a Commission decision — Manifest lack of jurisdiction)

(2009/C 69/18)

Language of the case: Italian

Parties

Appellant: Territorio Energia Ambiente SpA (TEA) (represented by: E. Coffrini and F. Tesauro, avvocati)

Other party to the proceedings: Commission of the European Communities (represented by: E. Righini and G. Conte, agents)

Re:

Appeal against the order made by the Court of First Instance (Fourth Chamber) on 17 September 2007 in Case T-175/07 *Territorio Energia Ambiente SpA v Commission* by which the Court of First Instance dismissed an application for a ruling, primarily, that Commission Decision 2003/193/EC of 5 June 2002 on State aid granted by Italy in the form of tax exemptions and subsidised loans to public utilities with a majority public capital holding (OJ 2003 L 77, p. 21) did not apply to the appellant and, in the alternative, that the appellant did not benefit from any unlawful aid, and for the consequential annulment, in so far as necessary, of that decision

Operative part of the order

1. *The appeal is dismissed.*
2. *Territorio Energia Ambiente SpA (TEA) is ordered to pay the costs.*

⁽¹⁾ OJ C 37, 9.2.2008.