

3. Orders the French Republic to bear its own costs.

(¹) OJ C 224, 16.9.2006.

**Judgment of the General Court of 13 September 2010 —
Whirlpool Europe v Council**

(Case T-314/06) (¹)

(Dumping — Imports of certain combined refrigerator-freezers originating in South Korea — Definition of the product concerned — Rights of the defence — Advisory Committee — Duty to state reasons — Choice of the method used to define the product concerned — Article 15(2) and Article 20(5) of Regulation (EC) No 384/96 (now Article 15(2) and Article 20(5) of Regulation (EC) No 1225/2009))

(2010/C 301/35)

Language of the case: English

Parties

Applicant: Whirlpool Europe Srl (Comerio, Italy) (represented by: M. Bronckers and F. Louis, lawyers)

Defendant: Council of the European Union (represented by: J.-P. Hix, Agent, and G. Berrisch, lawyer)

Interveners in support of the applicant: Italian Republic (represented by: G. Albenzio, lawyer), and European Committee of Domestic Equipment Manufacturers (CECED), (Brussels, Belgium) (represented by: Y. Desmedt and A. Verheyden, lawyers)

Interveners in support of the defendant: European Commission (represented by: H. van Vliet and T. Scharf, Agents) and LG Electronics, Inc. (Seoul, South Korea) (represented initially by: L. Ruessmann and P. Hecker, and subsequently by L. Ruessmann and A. Willems, lawyers)

Re:

Application for the annulment in part of Council Regulation (EC) No 1289/2006 of 25 August 2006 imposing a definitive anti-dumping duty and collecting definitively the provisional duty imposed on imports of certain side-by-side refrigerators originating in the Republic of Korea (OJ 2006 L 236, p. 11)

Operative part of the judgment

The Court:

1. Dismisses the action;

2. Orders Whirlpool Europe Srl to bear its own costs and to pay those incurred by the Council of the European Union and LG Electronics, Inc.;

3. Orders the Italian Republic, the European Commission and the European Committee of Domestic Equipment Manufacturers (CECED) to bear their own costs.

(¹) OJ C 326, 30.12.2006.

**Judgment of the General Court of 13 September 2010 —
Mohr & Sohn v Commission**

(Case T-131/07) (¹)

(Inland waterway transport — Community-fleet capacity — Conditions for putting new vessels into service ('old for new' rule) — Commission decision not to grant the specialised vessels exemption — Article 4(6) of Regulation (EC) No 718/1999)

(2010/C 301/36)

Language of the case: German

Parties

Applicant: Paul Mohr & Sohn, Baggerei und Schiffahrt (Niederwalluf, Germany) (represented by: F. von Waldstein, lawyer)

Defendant: European Commission (represented by: G. Braun and K. Simonsson, Agents)

Re:

Application for annulment of Commission Decision SG (2007) D/200972 of 28 February 2007 not to grant to the vessel 'Niclas' the specialised vessels exemption, pursuant to Article 4(6) of Council Regulation (EC) No 718/1999 of 29 March 1999 on a Community-fleet capacity policy to promote inland waterway transport (OJ 1999 L 90, p. 1)

Operative part of the judgment

1. The application is dismissed;

2. Paul Mohr & Sohn, Baggerei und Schiffahrt is ordered to bear its own costs and pay those incurred by the European Commission.

(¹) OJ C 155, 7.7.2007.