

2. Reserves the costs.

**Order of the President of the Court of First Instance of 14 November 2008 —
SACEM v Commission**

(Case T-422/08 R)

(Interim measures — Decision of the Commission ordering cessation of a concerted practice in relation to the collective management of copyright — Application for suspension of a measure — No urgency)

1. *Applications for interim measures — Suspension of operation of a measure — Interim measures — Conditions for granting — Prima facie case — Urgency — Cumulative nature — Order of examination and method of verification (Arts 225(1) EC, 242 EC and 243 EC; Rules of Procedure of the Court of First Instance, Art. 104(2)) (see paras 22-25)*
2. *Applications for interim measures — Suspension of operation of a measure — Interim measures — Conditions for granting — Urgency — Serious and irreparable damage — Financial loss (Arts 242 EC and 243 EC; Rules of Procedure of the Court of First Instance, Art. 104(2)) (see paras 37, 38, 47, 51)*

Re:

APPLICATION for suspension of operation of Commission Decision C(2008) 3435 final of 16 July 2008 relating to a proceeding under Article 81 EC and Article 53 of the EEA Agreement (Case COMP/C2/38.698 — CISAC).

Operative part

The Court:

1. Dismisses the application for interim measures;

2. Reserves the costs.

**Judgment of the Court of First Instance (Eighth Chamber) of 19 November 2008 —
Greece v Commission**

(Case T-404/05)

(Cohesion Fund — Athens International Airport — Reduction of financial assistance —
Principle of proportionality)

1. *Acts of the institutions — Temporal application — Immediate application of the new rule (see para. 77)*
2. *Community law — Principles — Proportionality — Reduction of financial assistance where essential obligations infringed — Lawfulness (see para. 89)*

Re:

APPLICATION for annulment of Commission Decision C(2005) 3243 final of 1 September 2005 reducing the financial assistance granted under the Cohesion Fund for Project No 95/09/65/040 (new Athens International Airport at Spata) by Commission Decision C(96) 1356 final of 24 May 1996.

Operative part

The Court:

1. Dismisses the action;
2. Orders the Hellenic Republic to pay the costs.