

the motor vehicle involved in the accident, on the basis of an individual assessment of the exclusive or partial contribution of that victim to his own loss or injury.

(¹) OJ C 11, 16.1.2010.

Judgment of the Court (Third Chamber) of 9 June 2011 — Territorio Histórico de Vizcaya — Diputación Foral de Vizcaya (C-465/09 P and C-468/09 P), Territorio Histórico de Álava — Diputación Foral de Álava (C-466/09 P and C-469/09 P), Territorio Histórico de Guipúzcoa — Diputación Foral de Guipúzcoa (C-467/09 P and C-470/09 P) v European Commission, Comunidad autónoma del País Vasco — Gobierno Vasco, Comunidad autónoma de La Rioja, Confederación Empresarial Vasca (Confebask)

(Case C-465/09 P) (¹)

(Appeals — State aid — Action for annulment — Decision initiating the formal investigation procedure under Article 88(2) EC — Subsequent final decisions finding that State aid schemes implemented by Spain in 1993 for certain newly established firms in Álava, Vizcaya and Guipúzcoa were not compatible with the common market — Corporation tax exemptions — Lis pendens — Concept of ‘authorised aid’ — Legitimate expectations — Compliance with a reasonable time-limit — No notification)

(2011/C 226/07)

Language of the case: Spanish

Parties

Appellants: Territorio Histórico de Vizcaya — Diputación Foral de Vizcaya (C-465/09 P and C-468/09 P), Territorio Histórico de Álava — Diputación Foral de Álava (C-466/09 P and C-469/09 P), Territorio Histórico de Guipúzcoa — Diputación Foral de Guipúzcoa (C-467/09 P and C-470/09 P) (represented by: I. Sáenz-Cortabarría Fernández and M. Morales Isasi, abogados)

Other parties to the proceedings: European Commission (represented by: F. Castillo de la Torre and C. Urraca Caviedes, Agents), Comunidad autónoma del País Vasco — Gobierno Vasco (I. Sáenz-Cortabarría Fernández and M. Morales Isasi, abogados), Comunidad autónoma de La Rioja (J. Criado Gámez and M. Martínez Aguirre, abogados), Confederación Empresarial Vasca (Confebask)

Intervener in support of the appellants: Kingdom of Spain (N. Díaz Abad)

Re:

Appeal against the judgment of the Court of First Instance (Fifth Chamber, Extended Composition) of 9 September 2009 in

Cases T-30/01 to T-32/01 and T-86/02 to T-88/02 *Diputación Foral de Álava and Others v Commission*, by which the Court held, in Cases T-30/01 to T-32/01, that there was no longer any need to adjudicate on an application for annulment of Commission Decision of 28 November 2000 to initiate the procedure under Article 88(2) EC in relation to the tax advantages in the form of corporation tax exemption for certain newly established firms granted by provisions adopted by the Diputación Foral de Álava, the Diputación Foral de Guipúzcoa and the Diputación Foral de Vizcaya, in the form of corporation tax exemption for certain newly established firms and, in Cases T-86/02 to T-88/02, dismissed an application for annulment of Commission Decisions 2003/28/EC, 2003/86/EC and 2003/192/EC of 20 December 2001 on a State aid scheme in the form of corporation tax exemption implemented by Spain in 1993 for certain newly established firms in Álava (T-86/02), Vizcaya (T-87/02) and Guipúzcoa (T-88/02) (OJ 2003 L 17, p. 20, OJ 2003 L 40, p. 11, and OJ 2003 L 77, p. 1, respectively)

Operative part of the judgment

The Court:

1. Dismisses the appeals.
2. Orders the Territorio Histórico de Vizcaya — Diputación Foral de Vizcaya, the Territorio Histórico de Álava — Diputación Foral de Álava and the Territorio Histórico de Guipúzcoa — Diputación Foral de Guipúzcoa to pay in equal shares the costs relating to the present appeals.
3. Orders the Kingdom of Spain to bear its own costs.

(¹) OJ C 37, 13.02.2011.

Judgment of the Court (Third Chamber) of 9 June 2011 (reference for a preliminary ruling from the Simvoulio tis Epikratias (Greece)) — Eleftheri tileorasi AE ‘ALTER CHANNEL’, Konstantinos Giannikos v Ipourgos Tipou kai Meson Mazikis Enimerosis, Ethniko Simvoulio Radiotileorasis

(Case C-52/10) (¹)

(Directive 89/552/EEC — Television broadcasting activities — Article 1(d) — ‘Surreptitious advertising’ — Intentional nature — Presentation of cosmetic dental treatment during a television broadcast)

(2011/C 226/08)

Language of the case: Greek

Referring court

Simvoulio tis Epikratias