

4. Orders the European Commission, as intervener before the General Court of the European Union and before the Court of Justice of the European Union, and the Kingdom of the Netherlands, as intervener before the General Court, to bear their own costs incurred at both instances.

(¹) OJ C 46, 12.2.2011.

Judgment of the Court (Grand Chamber) of 6 November 2012 — Éditions Odile Jacob SAS v European Commission, Lagardère SCA

(Case C-551/10 P) (¹)

(Appeal — Concentrations of undertakings in the book publishing market — Regulation (EEC) No 4064/89 — Nominee holding agreement — Ineffective grounds)

(2013/C 9/10)

Language of the case: French

Parties

Appellant: Éditions Odile Jacob SAS (represented by: O. Fréget, M. Struys, M. Potel and L. Eskenazi, avocats)

Other parties to the proceedings: European Commission (represented by: A. Bouquet, O. Beynet and S. Noë, acting as Agents), Lagardère SCA (represented by: A. Winckler, F. de Bure and J. B. Pinçon, avocats)

Re:

Appeal brought against the judgment of 13 September 2010 in Case T-279/04 *Éditions Jacob v Commission*, by which the General Court dismissed Odile Jacob's action for annulment of Commission Decision 2004/422/EC of 7 January 2004 declaring a concentration compatible with the common market and the functioning of the Agreement on the European Economic Area (Case COMP/M.2978 — Lagardère/Natexis/VUP) — Manifest error of assessment — Breach of the principles of legal certainty, protection of legitimate expectations and equal treatment

Operative part of the judgment

The Court:

1. Dismisses the appeal;
2. Orders Éditions Odile Jacob SAS to pay the costs.

(¹) OJ C 46, 12.2.2011.

Judgment of the Court (Grand Chamber) of 6 November 2012 — European Commission v Éditions Odile Jacob SAS, Wendel Investissement SA, Lagardère SCA and Lagardère SCA v Éditions Odile Jacob SAS, European Commission, Wendel Investissement SA

(Joined Cases C-553/10 P and C-554/10 P) (¹)

(Appeals — Merger of undertakings in the book publishing market — Annulment of the decision to approve an investment company as the purchaser of the assets sold — Significance of a trustee's possible lack of independence)

(2013/C 9/11)

Language of the case: French

Parties

Appellants: European Commission (represented by: O. Beynet, A. Bouquet and S. Noë, acting as Agents), Lagardère SCA (represented by: A. Winckler, F. de Bure and J.-B. Pinçon, avocats)

Other parties to the proceedings: Éditions Odile Jacob SAS (represented by: O. Fréget, M. Struys and L. Eskenazi, avocats), Wendel Investissement SA (represented by: M. Trabucchi, F. Gordon and C. Baldon, avocats), Lagardère SCA (represented by: A. Winckler, F. de Bure and J.-B. Pinçon, avocats), European Commission (represented by: O. Beynet, A. Bouquet and S. Noë, acting as Agents)

Re:

Appeals brought against the judgment of the General Court (Sixth Chamber) of 13 September 2010 in Case T-452/04 *Éditions Jacob v Commission* by which the General Court annulled Commission Decision D(2004)203365 of 30 July 2004 relating to the approval of Wendel Investissement as purchaser of the assets sold in accordance with Commission Decision 2004/422/EC of 7 January 2004 declaring a concentration compatible with the common market and the functioning of the Agreement on the European Economic Area (Case COMP/M.2978 — Lagardère/Natexis/VUP) — Significance of the trustee's possible lack of independence — Distortion of the facts — Infringement of the obligation to state reasons

Operative part of the judgment

The Court:

1. Dismisses the appeals;
2. Orders the European Commission and Lagardère SCA to bear their own costs and to pay those incurred by Éditions Odile Jacob SAS;
3. Orders Wendel Investissement SA to bear its own costs.

(¹) OJ C 46, 12.2.2011.