

Order of the General Court of 8 November 2011 — BASF Schweiz and BASF Lampertheim v Commission

(Case T-25/10) ⁽¹⁾

(Competition — Agreements, decisions and concerted practices — Market for tin stabilisers and ESBO/esters heat stabilisers — Decision finding an infringement of Article 81 EC and Article 53 of the EEA Agreement — Withdrawal of the decision — Disappearance of the subject-matter of the proceedings — No need to adjudicate)

(2012/C 6/28)

Language of the case: German

Parties

Applicants: BASF Schweiz AG, formerly BASF Speciality Chemicals Holding GmbH (Basel, Switzerland), and BASF Lampertheim GmbH (Lampertheim, Germany) (represented by: F. Montag and T. Wilson, lawyers)

Defendant: European Commission (represented by: F. Ronkes Agerbeek and R. Sauer, Agents, and W. Berg, lawyer)

Re:

Application for the annulment of Articles 1 and 2 of Commission Decision final of 11 November 2009 relating to a proceeding under Article 81 EC and Article 53 of the EEA Agreement (Case COMP/38.589 — Heat Stabilisers) in so far as those provisions concern the applicants and, in the alternative, an application for a reduction of the fines imposed on the applicants in Article 2 of that decision.

Operative part of the order

1. *There is no longer any need to adjudicate on the action.*
2. *The European Commission shall bear its own costs.*

⁽¹⁾ OJ C 100, 17.4.2010.

Order of the General Court of 8 November 2011 — Elementis and Others v Commission

(Case T-43/10) ⁽¹⁾

(Competition — Agreements, decisions and concerted practices — Markets for tin stabilisers and ESBO/esters heat stabilisers — Decision finding an infringement of Article 81 EC and Article 53 of the EEA Agreement — Withdrawal of the decision — Disappearance of the subject-matter of the proceedings — No need to adjudicate)

(2012/C 6/29)

Language of the case: English

Parties

Applicants: Elementis plc (London, United Kingdom); Elementis Holdings Ltd (London); Elementis UK Ltd (London); and

Elementis Services Ltd (London) (represented by: T. Wessely, A. de Brousse, lawyers, A. Woods, Solicitor, and E. Spinelli, lawyer)

Defendant: European Commission (represented by: F. Ronkes Agerbeek and J. Bourke, acting as Agents, and by J. Holmes, Barrister)

Re:

APPLICATION for annulment of Commission Decision C(2009) 8682 final of 11 November 2009 relating to a proceeding under Article 81 EC and Article 53 of the EEA Agreement (Case COMP/38.589 — Heat stabilisers), in so far as it concerns the applicants, as well as, in the alternative, an application for a reduction in the fines imposed on the applicants under that decision.

Operative part of the order

1. *There is no longer any need to adjudicate on the action.*
2. *The European Commission shall pay the costs.*

⁽¹⁾ OJ C 100, 17.4.2010.

Order of the General Court of 9 November 2011 — ClientEarth and Others v Commission

(Case T-120/10) ⁽¹⁾

(Access to documents of the institutions — Regulation (EC) No 1049/2001 — Implied refusal of access — Interest in bringing proceedings — Express decision adopted after the action was brought — Refusal to amend the form of order sought — No need to adjudicate)

(2012/C 6/30)

Language of the case: English

Parties

Applicants: ClientEarth (London, United Kingdom); European Federation for Transport and Environment (T&E) (Brussels, Belgium); European Environmental Bureau (EEB) (Brussels); BirdLife International (Brussels) (represented by: S. Hockman QC, and by P. Kirch, lawyer)

Defendant: European Commission (represented by: K. Herrmann and C. ten Dam, acting as Agents)

Re:

Application for annulment of the Commission decision of 9 February 2010 refusing access to certain documents relating to biofuels modelling