

# GENERAL COURT

## Judgment of the General Court of 14 March 2014 — *Cemex and Others v Commission*

(Case T-292/11) <sup>(1)</sup>

*(Competition — Administrative proceeding — Decision to request information — Necessity of the information requested — Duty to state reasons — Proportionality)*

(2014/C 135/34)

*Language of the case: Spanish*

### Parties

*Applicants:* Cemex SAB. De CV (Monterrey, Mexico); New Sunward Holding BV (Amsterdam, Netherlands); Cemex España, SA (Madrid, Spain); Cemex Deutschland AG (Ratingen, Germany); Cemex UK (Egham, United Kingdom); Cemex Czech Operations s.r.o. (Prague, Czech Republic); Cemex France Gestion (Rungis, France); Cemex Austria AG (Langenzersdorf, Austria) (represented by: M. Folguera Crespo, P. Vidal Martínez, H. González Durántez and B. Martínez Corral, lawyers)

*Defendant:* European Commission (represented by: É. Gippini Fournier, F. Castilla Contreras and C. Hödlmayer, acting as Agents, and J. Rivas Andrés, lawyer)

### Re:

Action for annulment of Commission Decision C(2011) 2360 final of 30 March 2011, in the context of a procedure pursuant to Article 18(3) of Council Regulation (EC) No 1/2003 (Case COMP/39520 — cement and related products).

### Operative part of the judgment

*The Court:*

1. *Dismisses the action;*
2. *Orders Cemex SAB. De CV, New Sunward Holding BV, Cemex España, SA, Cemex Deutschland AG, Cemex UK, Cemex Czech Operations s.r.o., Cemex France Gestion and Cemex Austria AG to pay the costs.*

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<sup>(1)</sup> OJ C 238, 13.8.2011.

## Judgment of the General Court of 14 March 2014 — *Holcim (Deutschland) and Holcim v Commission*

(Case T-293/11) <sup>(1)</sup>

*(Competition — Administrative proceeding — Decision to request information — Necessity of the information requested — Duty to state reasons — Proportionality)*

(2014/C 135/35)

*Language of the case: German*

### Parties

*Applicants:* Holcim (Deutschland) AG (Hamburg, Germany) and Holcim Ltd (Zurich, Switzerland) (represented by: P. Niggemann and K. Gaßler, lawyers)

*Defendant:* European Commission (represented by: M. Kellerbauer, R. Sauer and C. Hödlmayer, acting as Agents, and A. Böhlke, lawyer)

**Re:**

Action for annulment of Commission Decision C(2011) 2363 final of 30 March 2011, in the context of a procedure pursuant to Article 18(3) of Council Regulation (EC) No 1/2003 (Case COMP/39520 — cement and related products).

**Operative part of the judgment**

*The Court:*

1. *Dismisses the action;*
2. *Orders Holcim (Deutschland) AG and Holcim Ltd to pay the costs, including those of the interim proceedings.*

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<sup>(1)</sup> OJ C 238, 13.8.2011.

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**Judgment of the General Court of 14 March 2014 — Cementos Portland Valderrivas v Commission**  
**(Case T-296/11) <sup>(1)</sup>**

**(Competition — Administrative proceeding — Decision to request information — Necessity of the information requested — Reasonable grounds — Judicial review — Proportionality)**

(2014/C 135/36)

*Language of the case: Spanish*

**Parties**

*Applicants:* Cementos Portland Valderrivas, SA (Pamplona, Spain) (represented by: L. Ortiz Blanco, A. Lamadrid de Pablo and N. Ruiz García, lawyers)

*Defendant:* European Commission (represented by: F. Castilla Contreras, C. Urraca Caviedes and C. Hödlmayer, acting as Agents, and A. Rivas, lawyer)

**Re:**

Action for annulment of Commission Decision C(2011) 2368 final of 30 March 2011, in the context of a procedure pursuant to Article 18(3) of Council Regulation (EC) No 1/2003 (Case COMP/39520 — cement and related products).

**Operative part of the judgment**

*The Court:*

1. *Dismisses the action;*
2. *Orders Cementos Portland Valderrivas, SA to pay the costs, including those of the interim proceedings.*

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<sup>(1)</sup> OJ C 238, 13.8.2011.