

GENERAL COURT

Judgment of the General Court of 11 September 2014 — Commission v ID FOS Research

(Case T-170/08) ⁽¹⁾

(Arbitration clause — Contracts for financial assistance concerning projects in the field of industrial and materials technologies — Reimbursement of a part of the sums paid — Default interest)

(2014/C 380/05)

Language of the case: Dutch

Parties

Applicant: European Commission (represented by: R. Lyal and W. Roels, acting as Agents)

Defendant: ID Fiber Optic Sensing Research (ID FOS Research) (represented initially by P. Walravens and J. De Wachter, subsequently by P. Walravens and C. Lebon, lawyers)

Re:

Action brought pursuant to Article 272 TFEU seeking the reimbursement of a part of the sums paid by the Commission, together with default interest, under contract BRPR-CT-95-0099 concluded in the framework of the specific programme for research and technological development, including demonstration, in the field of industrial and materials technologies (Brite-Euram III).

Operative part of the judgment

1. *ID Fiber Optic Sensing Research (ID FOS Research) is ordered to reimburse the European Commission the sum of EUR 21 599,26, together with default interest:*
 - *at the rate of 4,75 % per annum from 1 July 2002 until 31 December 2002;*
 - *at the rate of 6,75 % per annum from 1 January 2003 until the date of the present judgment;*
 - *at the annual rate applied under the law of England and Wales, currently section 17 of the Judgment Courts Act, 1838, as amended, up to a maximum of 6,75 % per annum, from the date of the present judgment until the debt is fully settled.*
2. *ID FOS Research is ordered to pay the costs.*

⁽¹⁾ OJ C 171, 5.7.2008.

Judgment of the General Court of 11 September 2014 — Greece v Commission

(Case T-425/11) ⁽¹⁾

(State aid — Greek casinos — System providing for a levy of 80 % of the admissions of different amounts — Decision declaring the aid incompatible with the common market — Concept of State aid — Advantage)

(2014/C 380/06)

Language of the case: Greek

Parties

Applicant: Hellenic Republic (represented by: P. Mylonopoulos and K. Boskovits, Agents)

Defendant: European Commission (represented by: D. Triantafyllou, H. van Vliet and M. Konstantinidis, Agents)

Re:

Application for annulment of Commission Decision 2011/716/EU of 24 May 2011, on State aid to certain Greek casinos C-16/10 (ex NN 22/10, ex CP 318/09) implemented by the Hellenic Republic (OJ 2011 L 285, p. 25).

Operative part of the judgment

The Court:

1. *annuls Commission Decision 2011/716/EU of 24 May 2011, on State aid to certain Greek casinos C-16/10 (ex NN 22/10, ex CP 318/09) implemented by the Hellenic Republic;*
2. *orders the European Commission to bear its own costs and those incurred by the Hellenic Republic.*

⁽¹⁾ OJ C 282, 24.9.2011.

Judgment of the General Court of 11 September 2014 — Gold East Paper and Gold Huasheng Paper v Council

(Case T-443/11) ⁽¹⁾

(Dumping — Imports of coated fine paper originating in China — Market economy treatment — Time-limit for adopting the MET decision — Diligent and impartial examination — Rights of the defence — Manifest error of assessment — Principle of sound administration — Burden of proof — Injury — Determination of the profit margin — Definition of the product concerned — Community industry — Causal link)

(2014/C 380/07)

Language of the case: English

Parties

Applicants: Gold East Paper (Jiangsu) Co. Ltd (Jiangsu, China), and Gold Huasheng Paper (Suzhou Industrial Park) Co. Ltd (Jiangsu) (represented by: V. Akritidis, Y. Melin and F. Crespo, lawyers)

Defendant: Council of the European Union (represented by: J.-P. Hix, acting as Agent, assisted initially by G. Berrisch, A. Polcyn, lawyers, and by N. Chesaites, Barrister, and subsequently by B. O'Connor, Solicitor, and by S. Gubel, lawyer)

Interveners in support of the defendant: European Commission (represented by M. França and A. Stobiecka-Kuik, acting as Agents), Cepifine AISBL (Brussels, Belgium), Sappi Europe SA (Brussels), Burgo Group SpA (Altavilla Vicentina, Italy), and Lecta SA (Luxembourg, Luxembourg) (represented by: L. Ruessmann and W. Berg, lawyers)

Re:

Action for annulment of Council Implementing Regulation (EU) No 451/2011 of 6 May 2011 imposing a definitive anti-dumping duty and collecting definitively the provisional duty imposed on imports of coated fine paper originating in the People's Republic of China (OJ 2011 L 128, p. 1), in so far as it concerns the applicants.

Operative part of the judgment

The Court:

1. *Dismisses the action;*