

**Parties to the main proceedings**

*Applicants:* Panasonic Italia SpA, Panasonic Marketing Europe GmbH, Scerni Logistics S.r.l.

*Defendant:* Agenzia delle Dogane di Milano

**Operative part of the judgment**

1. For the purpose of tariff classification in the Combined Nomenclature set out in Annex I to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff, in the versions resulting successively from Commission Regulation (EC) No 2388/2000 of 13 October 2000, Commission Regulation (EC) No 2031/2001 of 6 August 2001, Commission Regulation (EC) No 1832/2002 of 1 August 2002, and Commission Regulation (EC) No 1789/2003 of 11 September 2003 of screens with the objective characteristics at issue in the main proceedings, account should be taken of their inherent intended purpose, which consists in reproducing the data from an automatic data-processing machine and from composite video signals. Such screens must be classified under subheading 8471 60 90 of the Combined Nomenclature if they are used solely or mainly in an automatic data-processing system, within the meaning of Note 5B(a) of Chapter 84 of the Combined Nomenclature, or under subheading 8528 21 90 thereof if that is not the case, which is a matter for the national court to determine on the basis of the objective characteristics of the screens at issue in the main proceedings, and in particular those mentioned in the Explanatory Notes relating to heading 8471 of the Harmonised Commodity Description and Coding System established by the International Convention on the Harmonised Commodity Description and Coding System concluded in Brussels on 14 June 1983, with its amending protocol of 24 June 1986, in particular in points 1 to 5 of the part of Chapter I D relating to display units for automatic data-processing machines;
2. Commission Regulation (EC) No 754/2004 of 21 April 2004 concerning the classification of certain goods in the Combined Nomenclature cannot be applied retroactively.

<sup>(1)</sup> OJ C 399, 22.12.2012.

**Judgment of the Court (Third Chamber) of 17 July 2014 — European Commission v Dimosia Epicheirisi Ilektrismou AE (DEI), Hellenic Republic, Energeiaki Thessalonikis AE, Elliniki Energeia kai Anaptyxi AE (H.E. & D.S.A.)**

(Case C-553/12 P) <sup>(1)</sup>

**(Appeal — Competition — Articles 82 EC and 86(1) EC — Maintenance of preferential rights granted by the Hellenic Republic in favour of a public undertaking for the exploration and exploitation of lignite deposits — Exercise of those rights — Competitive advantage on the markets for the supply of lignite and wholesale electricity — Maintenance, extension or strengthening of a dominant position)**

(2014/C 315/08)

Language of the case: Greek

**Parties**

*Appellant:* European Commission (represented by: T. Christoforou and A. Antoniadis, acting as Agents, assisted by A. Oikonomou, dikigoros)

*Other parties to the proceedings:* Dimosia Epicheirisi Ilektrismou AE (DEI) (represented by: P. Anestis, dikigoros), Hellenic Republic (represented by M.-T. Marinos, P. Mylonopoulos and K. Boskovits, acting as Agents), Energeiaki Thessalonikis AE, Elliniki Energeia kai Anaptyxi AE (H.E. & D.S.A.)

*Interveners in support of the applicants:* Mytilinaios AE, Protergia AE, Alouminion AE (represented by: N. Korogiannakis, I. Zarzoura, D. Diakopoulos and E. Chrisafis, dikigoro)

**Operative part of the judgment**

*The Court:*

1. Sets aside the judgment of the General Court of the European Union in DEI v Commission, T-169/08, EU:T:2012:448.

2. Refers the case back to the General Court of the European Union for adjudication on the pleas raised before it on which the Court of Justice of the European Union has not ruled.
3. Reserves the costs.

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<sup>(1)</sup> OJ C 32, 2.2.2013.

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**Judgment of the Court (Third Chamber) of 17 July 2014 — European Commission v Dimosia Epicheirisi Ilektrismou AE (DEI), Hellenic Republic**

(Case C-554/12 P) <sup>(1)</sup>

*(Appeal — Competition — Article 86(3) EC — Maintenance of preferential rights granted by the Hellenic Republic in favour of a public undertaking for the exploration and exploitation of lignite deposits — Infringement — Decision — Incompatibility with EU law — Subsequent decision — Establishment of specific measures — Solution to the anti-competitive effects of the infringement — Action for annulment)*

(2014/C 315/09)

Language of the case: Greek

**Parties**

*Appellant:* European Commission (represented by: T. Christoforou and A. Antoniadis, acting as Agents, assisted by A. Oikonomou, dikigoros)

*Other parties to the proceedings:* Dimosia Epicheirisi Ilektrismou AE (DEI) (represented by: P. Anestis, dikigoros), Hellenic Republic (represented by: P. Mylonopoulos, M.-T. Marinos and K. Boskovits, acting as Agents)

**Operative part of the judgment**

*The Court:*

1. Sets aside the judgment of the General Court of the European Union in *DEI v Commission*, T-421/09, EU:T:2012:450;
2. Refers the case back to the General Court of the European Union;
3. Reserves the costs.

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<sup>(1)</sup> OJ C 32, 2.2.2013.

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**Judgment of the Court (Fifth Chamber) of 17 July 2014 — European Commission v Hellenic Republic**

(Case C-600/12) <sup>(1)</sup>

*(Failure to fulfill obligations — Environment — Waste management — Directives 2008/98/EC, 1999/31/EC and 92/43/EEC — Discharge of waste on the island of Zakynthos — Zakynthos national marine park — Natura 2000 site — Caretta caretta sea turtle — Extension of the validity period of environmental clauses — Lack of conditioning plan — Operation of a landfill site — Faults — Saturation of the landfill site — Infiltration of leachate — Insufficient coverage and dispersion of waste — Extension of the landfill site)*

(2014/C 315/10)

Language of the case: Greek

**Parties**

*Applicant:* European Commission (represented by: M. Patakia and D. Düsterhaus, acting as Agents)

*Defendant:* Hellenic Republic (represented by: E. Skandalou, acting as Agent)