GENERAL COURT

Judgment of the General Court of 19 January 2016 — Toshiba v Commission

(Case T-404/12) ([1])

(Agreements, decisions and concerted practices — Market in gas insulated switchgear projects — New decision taken following annulment in part of the initial decision by the Court — Fines — Rights of the defence — Obligation to state reasons — Equal treatment — Starting amount — Extent of contribution to the infringement)

(2016/C 078/20)

Language of the case: English

Parties

Applicant: Toshiba Corp. (Tokyo, Japan) (represented by: J. MacLennan, Solicitor, A. Schulz and S. Sakellariou, lawyers)

Defendant: European Commission (represented by: N. Khan and F. Ronkes Agerbeek, acting as Agents)

Re:

Application, principally, for the annulment of Commission Decision C(2012) 4381 of 27 June 2012 amending Decision C (2006) 6762 final of 24 January 2007 relating to a proceeding under Article 81 [EC] (now Article 101 TFEU) and Article 53 of the EEA Agreement to the extent that it was addressed to Mitsubishi Electric Corp. and Toshiba Corp. (Case COMP/39.966 — Gas Insulated Switchgear — Fines), and, in the alternative, for the reduction of the fine imposed on the applicant.

Operative part of the judgment

The Court:

1. *Dismisses the action;*

2. *Orders Toshiba Corp. to pay the costs.*

([1]) OJ C 343, 10.11.2012.

Judgment of the General Court of 19 January 2016 — Mitsubishi Electric v Commission

(Case T-409/12) ([1])

(Competition — Agreements, decisions and concerted practices — Market in gas insulated switchgear projects — New decision taken following annulment in part of the initial decision by the Court — Fines — Obligation to state reasons — Principle of good administration — Rights of the defence — Equal treatment — Proportionality — Erroneous application — Starting amount — Extent of contribution to the infringement — Deterrence multiplier)

(2016/C 078/21)

Language of the case: English

Parties

Applicant: Mitsubishi Electric Corp. (Tokyo, Japan) (represented by: R. Denton, J. Vyavaharkar, R. Browne, L. Philippou, M. Roald, and J. Robinson, Solicitors, and K. Haegeman, lawyer)