

the same global marketing authorisation as the earlier marketing authorisations for its component parts within the meaning of the second sub-paragraph of Article 6(1) of Directive No 2001/83. Accordingly, the applicants state that it did not enjoy any further period of data exclusivity after the expiry of the data exclusivity relating to these authorisations.

(¹) Regulation (EC) No 726/2004 of the European Parliament and of the Council of 31 March 2004 laying down Community procedures for the authorisation and supervision of medicinal products for human and veterinary use and establishing a European Medicines Agency (Text with EEA relevance)

(²) Directive 2001/83/EC of the European Parliament and of the Council of 6 November 2001 on the Community code relating to medicinal products for human use

Action brought on 21 December 2012 — North Drilling v Council

(Case T-552/12)

(2013/C 46/39)

Language of the case: Spanish

Parties

Applicant: North Drilling Co. (Teheran, Iran) (represented by: J. Viñals Camallonga, L. Barriola Urruticoechea and J. Iriarte Ángel, lawyers)

Defendant: Council of the European Union

Form of order sought

The applicant claims that the Court should:

— annul Article 2 of Council Decision 2012/635/CFSP of 15 October 2012, amending Decision 2010/413/CFSP concerning restrictive measures against Iran, in so far as it concerns it and remove its name from the annex thereto;

— annul Article 1 of Council Implementing Regulation (EU) No 945/2012 of 15 October 2012, implementing Regulation (EU) 267/2012 concerning restrictive measures against Iran, in so far as it concerns it and remove its name from the annex thereto, and

— order the Council to pay the costs.

Pleas in law and main arguments

In support of the action, the applicant relies on six pleas in law.

1. First plea in law, alleging manifest error

— The first plea alleges a manifest error of assessment of the facts on which the contested provisions are based, as they lack any real factual and evidential basis.

2. Second plea in law, alleging breach of the duty to state reasons

— The second plea alleges a breach of the duty to state reasons, as the contested provisions are vitiated in relation to NDC by a statement of reasons which is inadequate, general and stereotypical.

3. Third plea in law, alleging disregard for the right to judicial protection

— The third plea alleges infringement of the right to effective judicial protection with regard to the statement of reasons for the measures, the lack of evidence in relation to the reasons stated and the rights of the defence and the right to property, given that the requirement to state reasons has not been fulfilled, which has an impact on the other rights.

4. Fourth plea in law, alleging infringement of the right to property

— The fourth plea is based on infringement of the right to property, since that right was restricted without valid justification.

5. Fifth plea in law, alleging infringement of the principle of equal treatment

— The fifth plea is based on infringement of the principle of equal treatment, since the relative position of the applicant has been prejudiced without reason.

6. Sixth plea in law, alleging misuse of powers

— The sixth plea in law is based on misuse of powers, since there is objective, precise and consistent evidence which supports the argument that the sanction was adopted for purposes other than those put forward by the Council.

Action brought on 24 December 2012 — Changshu City Standard Parts Factory v Council

(Case T-558/12)

(2013/C 46/40)

Language of the case: English

Parties

Applicant: Changshu City Standard Parts Factory (Changshu City, China) (represented by: R. Antonini and E. Monard, lawyers)

Defendant: Council of the European Union

Form of order sought

The applicant claims that the Court should:

- Annul Council Implementing Regulation (EU) No 924/2012 of 4 October 2012 amending Regulation (EC) No 91/2009 imposing a definitive anti-dumping duty on imports of certain iron or steel fasteners originating in the People's Republic of China, insofar as it relates to the applicant; and
- Order the Council to bear the costs of these proceedings.

Pleas in law and main arguments

In support of the action, the applicant relies on two pleas in law.

1. First plea in law, alleging that the exclusion from the dumping calculation of certain export transactions of the applicant violates Articles 2(11), 2(8), 2(9), 2(7)(a) and 9(5) of Council Regulation (EC) No 1225/2009 of 30 November 2009 on protection against dumped imports from countries not members of the European Community, the principle of non-discrimination and Article 2.4.2 of the WTO Agreement on Implementation of Article VI of the General Agreement on Tariffs and Trade 1994.
2. Second plea in law, alleging that the rejection of certain adjustments requested by the Applicant violates Article 2(10) of Council Regulation (EC) No 1225/2009 of 30 November 2009 on protection against dumped imports from countries not members of the European Community and Article 2.4 of the WTO Agreement on Implementation of Article VI of the General Agreement on Tariffs and Trade 1994. In the alternative, the applicant considers that the Council violated Article 296 of the Treaty on the Functioning of the European Union.

Action brought on 24 December 2012 — Ningbo Jinding Fastener v Council

(Case T-559/12)

(2013/C 46/41)

Language of the case: English

Parties

Applicant: Ningbo Jinding Fastener Co. Ltd (Ningbo, China) (represented by: R. Antonini and E. Monard, lawyers)

Defendant: Council of the European Union

Form of order sought

The applicant claims that the Court should:

- Annul Council Implementing Regulation (EU) No 924/2012 of 4 October 2012 amending Regulation (EC) No 91/2009 imposing a definitive anti-dumping duty on imports of certain iron or steel fasteners originating in the People's Republic of China, insofar as it relates to the applicant; and
- Order the Council to bear the costs of these proceedings.

Pleas in law and main arguments

In support of the action, the applicant relies on two pleas in law.

1. First plea in law, alleging that the exclusion from the dumping calculation of certain export transactions of the applicant violates Articles 2(11), 2(8), 2(9), 2(7)(a) and 9(5) of Council Regulation (EC) No 1225/2009 of 30 November 2009 on protection against dumped imports from countries not members of the European Community, the principle of non-discrimination and Article 2.4.2 of the WTO Agreement on Implementation of Article VI of the General Agreement on Tariffs and Trade 1994.
2. Second plea in law, alleging that the rejection of certain adjustments requested by the Applicant violates Article 2(10) of Council Regulation (EC) No 1225/2009 of 30 November 2009 on protection against dumped imports from countries not members of the European Community and Article 2.4 of the WTO Agreement on Implementation of Article VI of the General Agreement on Tariffs and Trade 1994. In the alternative, the applicant considers that the Council violated Article 296 of the Treaty on the Functioning of the European Union.

Action brought on 19 December 2012 — Beninca v Commission

(Case T-561/12)

(2013/C 46/42)

Language of the case: English

Parties

Applicant: Jürgen Beninca (Frankfurt am Main, Germany) (represented by: C. Zschocke, lawyer)

Defendant: European Commission