

Judgment of the Court (First Chamber) of 18 December 2014 — European Commission v Parker Hannifin Manufacturing Srl, formerly Parker ITR Srl, Parker-Hannifin Corp.

(Case C-434/13 P) ⁽¹⁾

(Appeals — Agreements, decisions and concerted practices — European market for marine hoses — Succession of legal entities — Attributability of unlawful conduct — Reduction of the fine by the General Court — Unlimited jurisdiction)

(2015/C 065/12)

Language of the case: English

Parties

Appellant: European Commission (represented by: S. Noë, V. Bottka and R. Sauer, Agents)

Other parties to the proceedings: Parker Hannifin Manufacturing Srl, formerly Parker ITR Srl, Parker-Hannifin Corp. (represented by: F. Amato, F. Marchini Càmia and B. Amory, avocats)

Operative part of the judgment

The Court:

- 1) Sets aside paragraphs 1, 2 and 3 of the operative part of the judgment of the General Court of the European Union in Parker ITR and Parker-Hannifin v Commission (T-146/09, EU:T:2013:258);
- 2) Refers the case back to the General Court of the European Union for a ruling on the merits of the action;
- 3) Reserves the costs.

⁽¹⁾ OJ C 313, 26.10.2013.

Judgment of the Court (Fourth Chamber) of 18 December 2014 (request for a preliminary ruling from the Tribunal d'instance d'Orléans — France) — CA Consumer Finance v Ingrid Bakkaus, Charline Bonato, née Savary, Florian Bonato

(Case C-449/13) ⁽¹⁾

(Reference for a preliminary ruling — Consumer protection — Consumer credit — Directive 2008/48/EC — Pre-contractual information duties — Obligation to check the borrower's creditworthiness — Burden of proof — Methods of proof)

(2015/C 065/13)

Language of the case: French

Referring court

Tribunal d'instance d'Orléans

Parties to the main proceedings

Applicant: CA Consumer Finance

Defendants: Ingrid Bakkaus, Charline Bonato, née Savary, Florian Bonato

Operative part of the judgment

- (1) The provisions of Directive 2008/48/EC of the European Parliament and of the Council of 23 April 2008 on credit agreements for consumers and repealing Council Directive 87/102/EEC must be interpreted to the effect that:
 - first, they preclude national rules according to which the burden of proving the non-performance of the obligations laid down in Articles 5 and 8 of Directive 2008/48 lies with the consumer; and