

Since the Divisão de Coordenação Nacional de Slots forms an integral part of the ANA and is entirely dependant on the ANA, there is neither a situation of operational independence nor one of financial independence, contrary to what is required under EU law.

⁽¹⁾ Council Regulation (EEC) No 95/93 of 18 January 1993 on common rules for the allocation of slots at Community airports (OJ 1993 L 14, p. 1).

Action brought on 24 April 2014 — European Commission v Republic of Estonia

(Case C-206/14)

(2014/C 212/21)

Language of the case: Estonian

Parties

Applicant: European Commission (represented by: L. Pignataro-Nolin and E. Randvere, acting as Agents)

Defendant: Republic of Estonia

Form of order sought

- declare that, by failing to transpose Article 4(1)(e), the second subparagraph of Article 4(1) and the second sentence of the second subparagraph of Article 4(2) of Directive 2003/4/EC ⁽¹⁾ of the European Parliament and of the Council of 28 January 2003 on public access to environmental information and repealing Council Directive 90/313/EEC, ⁽²⁾ the Republic of Estonia has failed to fulfil its obligations under that directive;
- order the Republic of Estonia to pay the costs.

Pleas in law and main arguments

The application seeks a declaration that the Republic of Estonia has failed to fulfil its obligations under Directive 2003/4/EC of the European Parliament and of the Council of 28 January 2003 on public access to environmental information and repealing Council Directive 90/313/EEC, by failing altogether and/or properly to adopt the legal provisions necessary for transposing the directive.

⁽¹⁾ OJ 2003 L 41, p. 26.

⁽²⁾ OJ 1990 L 158, p. 56.

Appeal brought on 7 May 2014 by LG Display Co. Ltd, LG Display Taiwan Co., Ltd against the judgment of the General Court (Sixth Chamber) delivered on 27/02/2014 in Case T-128/11: LG Display Co. Ltd, LG Display Taiwan Co., Ltd v European Commission

(Case C-227/14 P)

(2014/C 212/22)

Language of the case: English

Parties

Appellants: LG Display Co. Ltd, LG Display Taiwan Co., Ltd (represented by: A. Winckler, avocat, F.-C. Laprèvote, avocat)

Other party to the proceedings: European Commission

Form of order sought

The appellants claim that the Court should:

- partially set aside the General Court's judgment in Case T-128/11 insofar as it dismisses its request to partially annul the Commission's decision of 8 December 2010 in Case COMP/39309;
- based on the elements available to it, partially annul the Commission's decision and reduce the amount of the fines set forth therein — to assist in that regard, LG Display submits in Annex A.2. a table with the fine calculation in different scenarios. LG Display respectfully submits in this regard that the Court of Justice possesses sufficient information to exercise its full jurisdiction;
- order the Commission to pay LG Display's legal and other costs and expenses in relation to this matter; and
- take any other measures that the Court of Justice considers appropriate.

Pleas in law and main arguments

By its first plea, LG Display disputes the General Court's conclusion that the Commission was entitled to include LG Display's sales to its parent companies LGE and Philips in the value of sales to calculate LG Display's fine. This plea is divided into two limbs. First, the General Court erred in law, failed to provide adequate reasoning, manifestly distorted the evidence, violated LG Display's rights of defence, and failed to exercise its full jurisdiction, by holding that the Commission may include internal sales in the value of sales for the purpose of calculating the fine based merely on the fact that such sales were made on a market affected by the cartel in which LG Display was active. Second, the General Court erred in law, failed to provide adequate reasoning, manifestly distorted the evidence, and violated LG Display's rights of defence by upholding the Commission's finding that internal sales were indeed affected by the cartel.

By its second plea, LG Display disputes the General Court's conclusion that the Commission correctly refused to grant LG Display partial immunity from fines for the year 2005. This plea is divided into two limbs. First, the General Court committed an error of substantive law and failed to state adequate reasons when granting the full immunity applicant a privileged position in respect of partial immunity. Second, the General Court manifestly distorted the evidence and committed an error of substantive law by refusing to grant LG Display partial immunity from fines for the period as of August 26, 2005, after which date the Commission did not have evidence provided by the immunity applicant proving LG Display's continued participation in the cartel.

Appeal brought on 8 May 2014 by InnoLux Corp., formerly Chimei InnoLux Corp. against the judgment of the General Court (Sixth Chamber) delivered on 27/02/2014 in Case T-91/11: InnoLux Corp., formerly Chimei InnoLux Corp. v European Commission

(Case C-231/14 P)

(2014/C 212/23)

Language of the case: English

Parties

Appellant: InnoLux Corp., formerly Chimei InnoLux Corp. (represented by: J.-F. Bellis, avocat, R. Burton, Solicitor)

Other party to the proceedings: European Commission

Form of order sought

The appellant claims that the Court should:

- set aside the judgment under appeal in so far as it upholds the fine imposed by the Contested Decision on InnoLux based on the value of intra-group deliveries of LCD panels within the appellant's factories in China and Taiwan;