

- Furthermore, the Application made a long a list of points which would plainly have been made to the Council had Senator Georgias been given an opportunity to make them
- In those circumstances, the General Court erred in law in holding that Senator Georgias had not explained what he would have relied on had he been heard

⁽¹⁾ Council Regulation (EC) No 314/2004 of 19 February 2004 concerning certain restrictive measures in respect of Zimbabwe OJ L 55, p. 1.

⁽²⁾ Council Common Position 2004/161/CFSP of 19 February 2004 renewing restrictive measures against Zimbabwe OJ L 50, p. 66.

Appeal brought on 1 December 2014 by Canon Europa NV against the order of the General Court (Sixth Chamber) delivered on 16 September 2014 in Case T-34/11: Canon Europa NV v European Commission

(Case C-552/14 P)

(2015/C 046/33)

Language of the case: English

Parties

Appellant: Canon Europa NV (represented by: P. De Baere, avocat, P. Muñiz, abogado)

Other party to the proceedings: European Commission

Form of order sought

The applicant claims that the Court should:

- set aside, in whole, the order delivered by the EU General Court in case T-34/11;
- rule that the appeal is admissible;
- return the case to the EU General Court for a ruling on the substantive grounds of appeal;
- order the Defendant to pay the costs of these proceedings and those before the General Court.

Pleas in law and main arguments

The appeal is based on the following two grounds:

First, the General Court erred in law in the interpretation and application of Article 263 TFUE, when it concluded that the Regulation ‘entailed implementing measures’ within the meaning of that provision.

Secondly, the General Court infringed the Appellant’s right to be heard, erred in the legal characterisation of the evidence submitted by the Appellant, and alternatively distorted such evidence.

Appeal brought on 1 December 2014 by Kyocera Mita Europe BV against the order of the General Court (Sixth Chamber) delivered on 16 September 2014 in Case T-35/11: Kyocera Mita Europe BV v European Commission

(Case C-553/14 P)

(2015/C 046/34)

Language of the case: English

Parties

Appellant: Kyocera Mita Europe BV (represented by: P. De Baere, avocat, P. Muñiz, abogado)