

GENERAL COURT

Judgment of the General Court of 11 July 2017 — **Viraj Profiles v Council**

(Case T-67/14) ⁽¹⁾

(Dumping — Imports of certain stainless steel wires originating in India — Determination of the cost of production — Selling, General and Administrative costs — Obligation to state reasons — Injury — Causal link — Complaint — Opening of the investigation — Manifest error of assessment)

(2017/C 277/43)

Language of the case: English

Parties

Applicant: Viraj Profiles Ltd (Maharashtra, India) (represented by: V. Akritidis and Y. Melin, lawyers)

Defendant: Council of the European Union (represented: initially by B. Driessen, and subsequently by H. Marcos Fraile, acting as Agents, assisted by R. Bierwagen, C. Hipp and D. Reich, lawyers)

Intervener in support of the defendant: European Commission (represented by: J.-F. Brakeland and A. Stobiecka-Kuik, acting as Agents)

Re:

Action pursuant to Article 263 TFEU for annulment of Council Implementing Regulation (EU) No 1106/2013 of 5 November 2013 imposing a definitive anti-dumping duty and collecting definitively the provisional duty imposed on imports of certain stainless steel wires originating in India (OJ 2013 L 298, p. 1), in so far as it concerns the applicant.

Operative part of the judgment

The Court:

1. Annuls Council Implementing Regulation (EU) No 1106/2013 of 5 November 2013 imposing a definitive anti-dumping duty and collecting definitively the provisional duty imposed on imports of certain stainless steel wires originating in India, as far as it relates to Viraj Profiles Ltd;
2. Orders the Council of the European Union to bear its own costs and to pay the costs incurred by Viraj Profiles;
3. Orders the European Commission to bear its own costs.

⁽¹⁾ OJ C 112, 14.4.2014.

Judgment of the General Court of 6 July 2017 — **France v Commission**

(Case T-74/14) ⁽¹⁾

(State aid — Aid measures implemented by France in favour of SNCM — Restructuring aid and measures taken in the context of a privatisation plan — Private investor in a market economy test — Decision declaring the aid unlawful and incompatible with the internal market — Re-opening of the formal investigation procedure — Obligation to state reasons)

(2017/C 277/44)

Language of the case: French

Parties

Applicant: French Republic (represented by: initially G. de Bergues, D. Colas, E. Belliard and J. Bousin, and subsequently D. Colas, E. Belliard and J. Bousin, acting as Agents)

Defendant: European Commission (represented by: V. Di Bucci and B. Stromsky, acting as Agents)

Re:

Application under Article 263 TFEU for annulment of Commission Decision C(2013) 7066 final of 20 November 2013, concerning State aid SA.16237 (C 58/2002) (ex N 118/2002) implemented by France in favour of SNCM.

Operative part of the judgment

The Court:

1. *Dismisses the action;*
2. *Orders the French Republic to pay the costs.*

⁽¹⁾ OJ C 135, 5.5.2014.

Judgment of the General Court of 29 June 2017 — Cipriani v EUIPO — Hotel Cipriani (CIPRIANI)

(Case T-343/14) ⁽¹⁾

(EU trade mark — Invalidity proceedings — EU word mark CIPRIANI — No bad faith — Article 52(1)(b) of Regulation (EC) No 207/2009 — No breach of the right to a name of a well-known person — Article 53 (2)(a) of Regulation No 207/2009)

(2017/C 277/45)

Language of the case: English

Parties

Applicant: Arrigo Cipriani (Venice, Italy) (represented by: A. Vanzetti, G. Sironi and S. Bergia, lawyers)

Defendant: European Union Intellectual Property Office (represented by: J. Crespo Carrillo, Agent)

Other party to the proceedings before the Board of Appeal of EUIPO, intervener before the General Court: Hotel Cipriani Srl (Venice) (represented: initially by C. Hoole, Solicitor, and subsequently by T. Alkin, B. Brandreth, Barristers, W. Sander, P. Cantrill, M. Pearce, A. Hall and A. Ward, Solicitors, and finally by B. Brandreth, Barrister, and A. Poulter and P. Brownlow, Solicitors)

Re:

Action brought against the decision of the fourth Board of Appeal of EUIPO of 14 March 2014 (Case R 224/2012-4), relating to proceedings for a declaration of invalidity between Arrigo Cipriani and Hotel Cipriani

Operative part of the judgment

The Court:

1. *Dismisses the action;*
2. *Orders Mr Arrigo Cipriani to bear his own costs and to pay the costs incurred by the European Union Intellectual Property Office (EUIPO) and those of Hotel Cipriani Srl.*

⁽¹⁾ OJ C 261, 11.8.2014.