

**Judgment of the General Court of 12 July 2018 — Furukawa Electric v Commission**(Case T-444/14) <sup>(1)</sup>

**(Competition — Agreements, decisions and concerted practices — European market for power cables — Decision finding an infringement of Article 101 TFEU — Single and continuous infringement — Proof of the infringement — Duration of participation — Calculation of the fine — Gravity of the infringement — Unlimited jurisdiction)**

(2018/C 328/46)

Language of the case: English

**Parties**

*Applicant:* Furukawa Electric Co. Ltd (Tokyo, Japan) (represented by C. Pouncey, A. Luke and L. Geary, Solicitors)

*Defendant:* European Commission (represented by A. Biolan, C. Giolito and H. van Vliet, acting as Agents, and by M. Johansson, lawyer)

*Intervener in support of the applicant:* Viscas Corp. (Tokyo) (represented by J.-F. Bellis, lawyer)

**Re:**

Action pursuant to Article 263 TFEU for annulment of Commission Decision C(2014) 2139 final of 2 April 2014 relating to a proceeding under Article 101 [TFEU] and Article 53 of the EEA Agreement (Case AT.39610 — Power cables) in so far as it concerns the applicant and, in the alternative, an application for reduction of the fine imposed on the applicant in that decision.

**Operative part of the judgment**

*The Court:*

1. Dismisses the action;
2. Orders Furukawa Electric Co. Ltd to bear its own costs and to pay those of the European Commission;
3. Orders Viscas Corp. to bear its own costs.

<sup>(1)</sup> OJ C 303, 8.9.2014.

**Judgment of the General Court of 12 July 2018 — ABB v Commission**(Case T-445/14) <sup>(1)</sup>

**(Competition — Agreements, decisions and concerted practices — European market for power cables — Decision finding an infringement of Article 101 TFEU — Single and continuous infringement — Evidence of the infringement — Products concerned — Public distancing — Duration of participation — Equal treatment)**

(2018/C 328/47)

Language of the case: English

**Parties**

*Applicants:* ABB Ltd (Zürich, Switzerland) and ABB AB (Västerås, Sweden) (represented by: I. Vandendorre and S. Dionnet, lawyers)

*Defendant:* European Commission (represented by: C. Giolito, H. van Vliet and J. Norris-Usher, acting as Agents, and by A. Bodnar, Barrister)

**Re:**

Application under Article 263 TFEU for the annulment of Commission Decision C(2014) 2139 final of 2 April 2014 relating to a proceeding under Article 101 [TFEU] and Article 53 of the EEA Agreement (Case AT.39610 — Power cables) in so far as it concerns the applicants.

**Operative part of the judgment**

*The Court:*

1. *Dismisses the action;*
2. *Orders ABB Ltd and ABB AB to pay the costs.*

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<sup>(1)</sup> OJ C 303, 8.9.2014.

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**Judgment of the General Court of 12 July 2018 — Taihan Electric Wire v Commission**

(Case T-446/14) <sup>(1)</sup>

*(Competition — Agreements, decisions and concerted practices — European market for power cables — Decision finding an infringement of Article 101 TFEU — Single and continuous infringement — Insurmountable barriers to entry — Inapplicability of Article 101 — Duration of involvement — Equal treatment — Calculation of the fine — Value of sales — Gravity of the infringement — Mitigating circumstances — Unlimited jurisdiction)*

(2018/C 328/48)

*Language of the case: English*

**Parties**

*Applicant:* Taihan Electric Wire Co. Ltd (Anyang-Si, South Korea) (represented by: R. Antonini and E. Monard, lawyers)

*Defendant:* European Commission (represented by: A. Biolan, C. Giolito and H. van Vliet, acting as Agents)

**Re:**

Application under Article 263 TFEU for the annulment of Commission Decision C(2014) 2139 final of 2 April 2014 relating to a proceeding under Article 101 TFEU and Article 53 of the EEA Agreement (Case AT.39610 — Power cables) in so far as it concerns the applicant, and, in the alternative, a reduction of the fine imposed on the applicant.

**Operative part of the judgment**

*The Court:*

1. *Dismisses the action;*
2. *Orders Taihan Electric Wire Co. Ltd to pay the costs.*

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<sup>(1)</sup> OJ C 282, 25.8.2014.