

GENERAL COURT

Judgment of the General Court of 26 October 2017 — Marine Harvest v Commission

(Case T-704/14) ⁽¹⁾

(Competition — Concentrations — Decision imposing a fine for putting into effect a concentration prior to its notification and authorisation — Article 4(1), Article 7(1) and (2) and Article 14 of Regulation (EC) No 139/2004 — Negligence — Principle *ne bis in idem* — Gravity of the infringement — Amount of the fine)

(2017/C 424/39)

Language of the case: English

Parties

Applicant: Marine Harvest ASA (Bergen, Norway) (represented by: R. Subiotto QC)

Defendant: European Commission (represented by: M. Farley, C. Giolito and F. Jimeno Fernández, acting as Agents)

Re:

Application based on Article 263 TFEU and seeking, principally, annulment of Commission Decision C(2014) 5089 final of 23 July 2014 imposing a fine for putting into effect a concentration in breach of Article 4(1) and Article 7(1) of Regulation (EC) No 139/2004 (Case COMP/M.7184 — Marine Harvest/Morpol), and, in the alternative, annulment or reduction of the fine imposed on the applicant.

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders Marine Harvest ASA to pay the costs.

⁽¹⁾ OJ C 409, 17.11.2014.

Judgment of the General Court of 26 October 2017 — KPN v Commission

(Case T-394/15) ⁽¹⁾

(Competition — Concentrations — Netherlands market for television services and telecommunications services — Decision declaring the concentration compatible with the internal market and the EEA Agreement — Commitments — Duty to state reasons — Relevant market — Vertical effects — Judicial review)

(2017/C 424/40)

Language of the case: English

Parties

Applicant: KPN BV (The Hague, Netherlands) (represented by: J. de Pree, C. van der Hoeven and G. Hakopian, lawyers)

Defendant: European Commission (represented by: L. Malferrari, J. Szczodrowski, H. van Vliet and F. van Schaik, acting as Agents)

Re:

Application pursuant to Article 263 TFEU for annulment of Commission Decision C(2014) 7241 final of 10 October 2014 declaring the concentration involving the acquisition by Liberty Global plc of sole control over Ziggo NV to be compatible with the internal market and the EEA Agreement (Case COMP/M.7000 — Liberty Global/Ziggo) (OJ 2015, C 145, p. 7)