

**Action brought on 28 February 2014 — JingAo Solar e.a. v Council****(Case T-158/14)**

(2014/C 159/46)

*Language of the case: English***Parties**

*Applicants:* JingAo Solar Co. Ltd (Ningjin, Chine); Shanghai JA Solar Technology Co. Ltd (Shanghai, Chine); Yangzhou JA Solar Technology Co. Ltd (Yangzhou, Chine); Hefei JA Solar Technology Co. Ltd (Hefei, Chine); Shanghai JA Solar PV Technology Co. Ltd (Shanghai); et JA Solar GmbH (Munich, Germany) (represented by: A. Willems, S. De Knop and J. Charles, lawyers)

*Defendant:* Council of the European Union

**Form of order sought**

The applicants claim that the Court should:

- Declare the action admissible;
- Annul Council Implementing Regulation (EU) No 1239/2013 imposing a definitive countervailing duty on imports of crystalline silicon photovoltaic modules and key components (i.e. cells) originating in or consigned from the People's Republic of China (OJ 2013 L 325, p. 66), as far as it applies to the applicants;
- Order the defendants to pay the costs.

**Pleas in law and main arguments**

In support of the action, the applicants rely on three pleas in law.

1. First plea in law, alleging that by imposing countervailing measures on crystalline silicon photovoltaic modules and key components consigned from the People's Republic of China whereas the Notice of initiation mentioned only crystalline silicon photovoltaic modules and key components originating in the People's Republic of China, the Institutions violated Articles 10(12) and 10(13) of Council Regulation (EC) No 597/2009 <sup>(1)</sup>.
2. Second plea in law, alleging that by imposing countervailing measures on crystalline silicon photovoltaic modules and key components that were not subject to an anti-subsidy investigation, the Institutions violated Articles 1 and 27 of Council Regulation (EC) No 597/2009.
3. Third plea in law, alleging that by conducting one single investigation for two distinct products (i.e., crystalline silicon photovoltaic modules and cells), the Institutions violated Article 2(c) of Council Regulation (EC) No 597/2009.

---

<sup>(1)</sup> Council Regulation (EC) No 597/2009 of 11 June 2009 on protection against subsidised imports from countries not members of the European Community (OJ 2009 L 188, p. 93)

**Action brought 19 March 2014 — Marzocchi Pompe v OHIM — Settima Flow Mechanisms (ELIKA)****(Case T-182/14)**

(2014/C 159/47)

*Language in which the application was lodged: Italian***Parties**

*Applicant:* Marzocchi Pompe SpA (Casalecchio di Reno, Italy) (represented by: M. Bovesi, lawyer)

*Defendant:* Office for Harmonisation in the Internal Market (Trade Marks and Designs)

*Other party to the proceedings before the Board of Appeal:* Settima Flow Mechanisms (Grossolengo, Italy)