

4. Fourth plea in law, alleging that the Decision must be annulled in its entirety to the extent that it relies to a decisive extent on evidence that the Commission illegally seized during inspections at the premises of Nexans. Such evidence is essential to the Commission's findings and in particular to the establishment of a single and continuous nature of the infringement as well as to the establishment of an allocation between European companies of projects within the European Economic Area (EEA).

Action brought on 17 June 2014 — Nexans France and Nexans v Commission

(Case T-449/14)

(2014/C 282/63)

Language of the case: English

Parties

Applicants: Nexans France (Clichy, France); and Nexans SA (Paris, France) (represented by: M. Powell, Solicitor, G. Forwood, Barrister, and A. Rogers, Solicitor)

Defendant: European Commission

Form of order sought

The applicants claim that the Court should:

- Annul the Commission Decision C(2014) 2139 of 2 April 2014 relating to a proceeding under Article 101 TFEU and Article 53 EEA in case AT.39610 — Power Cables (the 'Decision');
- Annul part of the contested decision in so far as it found that Nexans France participated in an infringement before 22 February 2001;
- Reduce the fines imposed on the Applicants by an amount that corresponds to a shorter duration and a reduced gravity factor; and
- Order the Commission to pay the applicants' costs in these proceedings.

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 in removing certain data in the course of the unannounced inspection at the premises of Nexans France, the Commission acted beyond the powers conferred on it by Regulation 1/2003 and breached the applicants' right to privacy.
2. Second plea in law, alleging that the Commission erred in determining the duration of the infringement.
3. Third plea in law, alleging that the Commission made a manifest error of assessment in that it failed to take account of the alleged infringement's lack of implementation and lack of effects on customers, failed to give adequate reasons and breached the principle of equal treatment.

Action brought on 27 June 2014 — CHEMK and KF v Commission

(Case T-487/14)

(2014/C 282/64)

Language of the case: English

Parties

Applicants: Chelyabinsk electrometallurgical integrated plant OAO (CHEMK) (Chelyabinsk, Russia) and Kuzneckie ferrosplav OAO (KF) (Novokuznetsk, Russia) (represented by: B. Evtimov and M. Krestiyanova, lawyers)

Defendant: European Commission