

V

(Announcements)

COURT PROCEEDINGS

COURT OF JUSTICE

Judgment of the Court (Grand Chamber) of 25 October 2017 — European Commission v Council of the European Union

(Case C-389/15) ⁽¹⁾

(Action for annulment — Council decision authorising the opening of negotiations on a revised Lisbon Agreement on Appellations of Origin and Geographical Indications — Article 3(1) TFEU — Exclusive competence of the European Union — Common commercial policy — Article 207(1) TFEU — Commercial aspects of intellectual property)

(2017/C 437/02)

Language of the case: English

Parties

Applicant: European Commission (represented by: F. Castillo de la Torre, J. Guillem Carrau, B. Hartmann, A. Lewis and M. Kocjan, Agents)

Intervener in support of the applicant: European Parliament (represented by: J. Etienne, A. Neergaard and R. Passos, Agents)

Defendant: Council of the European Union (represented by: M. Balta and F. Florindo Gijón, Agents)

Interveners in support of the defendant: Czech Republic (represented by: M. Hedvábná, K. Najmanová, M. Smolek and J. Vláčil, Agents), Federal Republic of Germany (represented by: T. Henze and J. Techert, Agents), Hellenic Republic (represented by: M. Tassopoulou, Agent), Kingdom of Spain (represented by: M.A. Sampol Pucurull, Agent), French Republic (represented by: G. de Bergues, D. Colas, F. Fize, B. Fodda and D. Segoin, Agents), Italian Republic (represented by: G. Palmieri, Agent, and S. Fiorentino, avvocato dello Stato), Hungary (represented by: M. Bóra, M.Z. Fehér and G. Koós, Agents), Kingdom of the Netherlands (represented by: M. Bulterman, M. Gijzen and B. Koopman, Agents), Republic of Austria (represented by: C. Pesendorfer, Agent), Portuguese Republic (represented by: M. Figueiredo, L. Inez Fernandes and M.L. Duarte, Agents), Slovak Republic (represented by: M. Kianička, Agent), United Kingdom of Great Britain and Northern Ireland (represented by: C. Brodie and D. Robertson, Agents)

Operative part of the judgment

The Court:

1. Annuls Council Decision 8512/15 of 7 May 2015 authorising the opening of negotiations on a revised Lisbon Agreement on Appellations of Origin and Geographical Indications as regards matters falling within the competence of the European Union;
2. Maintains the effects of Decision 8512/15 until the entry into force, within a reasonable period which cannot exceed six months from the date of delivery of the present judgment, of a decision of the Council of the European Union based on Articles 207 and 218 TFEU;
3. Orders the Council of the European Union to pay the costs;

4. Orders the Czech Republic, the Federal Republic of Germany, the Hellenic Republic, the Kingdom of Spain, the French Republic, the Italian Republic, Hungary, the Kingdom of the Netherlands, the Republic of Austria, the Portuguese Republic, the Slovak Republic, the United Kingdom of Great Britain and Northern Ireland and the European Parliament to bear their own costs.

⁽¹⁾ OJ C 311, 21.9.2015.

Judgment of the Court (Fourth Chamber) of 25 October 2017 — European Commission v Italian Republic

(Case C-467/15 P) ⁽¹⁾

(Appeal — State aid — Aid granted by the Italian Republic to milk producers — Aid scheme linked to the reimbursement of the milk levy — Conditional decision — Decision adopted by the Council of the European Union pursuant to the third subparagraph of Article 108(2) TFEU — Regulation (EC) No 659/1999 — Article 1(b) and (c) — Existing aid — New aid — Definitions — Alteration to existing aid in breach of a condition ensuring compatibility of the aid with the internal market)

(2017/C 437/03)

Language of the case: Italian

Parties

Appellant: European Commission (represented by: V. Di Bucci and P. Němečková, acting as Agents)

Other party to the proceedings: Italian Republic (represented by: G. Palmieri, acting as Agent, assisted by S. Fiorentino and P. Grasso, avvocati dello Stato)

Operative part of the judgment

The Court:

1. Sets aside paragraphs 1, 2 and 4 of the operative part of the judgment of the General Court of the European Union of 24 June 2015, *Italy v Commission* (T-527/13, EU:T:2015:429);
2. Dismisses the action brought by the Italian Republic before the General Court in Case T-527/13;
3. Orders the Italian Republic to bear its own costs and to pay those of the European Commission both at first instance and on appeal.

⁽¹⁾ OJ C 406, 7.12.2015.

Judgment of the Court (Fourth Chamber) of 25 October 2017 — Slovak Republic v European Commission

(Joined Cases C-593/15 P and C-594/15 P) ⁽¹⁾

(Appeal — Own resources of the European Union — Decision 2007/436/EC — Financial liability of the Member States — Loss of certain import duties — Obligation to pay the European Commission the amount corresponding to the loss — Actions for annulment — Admissibility — Letter from the European Commission — Concept of ‘actionable measure’)

(2017/C 437/04)

Language of the case: Slovak

Parties

Appellant: Slovak Republic (represented by: B. Ricziová, acting as Agent)

Other party to the proceedings: European Commission (represented by: A. Caeiros, A. Tokár, G.-D. Balan and Z. Malůšková, acting as Agents)