

**Form of order sought**

The appellant claims that the Court should:

- set aside the judgment of the General Court of 19 March 2015, notified to the Commission on 23 March 2015, in Case T-412/13 *Chin Haur Indonesia, PT v. Council of the European Union*, reject the Application at first instance, and order the Applicant to pay the costs;

or, alternatively,

- refer back the case to the General Court for reconsideration; reserve the costs of the proceedings at first instance and on appeal.

**Pleas in law and main arguments**

The appeal brought by the Commission concerns the judgment of the General Court of 19 March 2015 in Case T-412/13. In that judgment, the General Court annulled, to the extent that it concerns Chin Haur Indonesia, PT, Article 1(1) and 3 of Council Implementing Regulation (EU) No 501/2013<sup>(1)</sup> of 29 May 2013 extending the definitive anti-dumping duty imposed by Implementing Regulation (EU) No 990/2011 on imports of bicycles originating in the People's Republic of China to imports of bicycles consigned from Indonesia, Malaysia, Sri Lanka and Tunisia, whether declared as originating in Indonesia, Malaysia, Sri Lanka and Tunisia or not.

The Commission relies, in support of its appeal, on three grounds of appeal.

First, the Commission argues that the General Court could not legally draw the conclusion that the Council had breached Article 13(1) of the Basic anti-dumping Regulation<sup>(2)</sup>, because such a conclusion is based on an incorrect interpretation of the relevant recital of the contested Regulation and on an incorrect interpretation of Article 13(1) of the Basic anti-dumping Regulation. Second, the Commission argues that the General Court provided an insufficient and contradictory reasoning for its conclusion, in breach of Article 36 of the Statute of the Court of Justice of the European Union. Third, the Commission considers that the General Court breached the procedural rights of the Commission under Article 40 of the Statute of the Court of Justice.

<sup>(1)</sup> OJ L 153, p. 1.

<sup>(2)</sup> Council Regulation (EC) No 1225/2009 of 30 November 2009 on protection against dumped imports from countries not members of the European Community OJ L 343, p. 51.

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**Appeal brought on 29 May 2015 by European Commission against the judgment of the General Court (Seventh Chamber) delivered on 19 March 2015 in Case T-413/13: City Cycle Industries v Council of the European Union**

**(Case C-254/15 P)**

(2015/C 254/15)

*Language of the case: English*

**Parties**

*Appellant:* European Commission (represented by: J.-F. Brakeland, M. França, agents)

*Other parties to the proceedings:* City Cycle Industries, Council of the European Union, Maxcom Ltd

**Form of order sought**

The appellant claims that the Court should:

- set aside the judgment of the General Court of 19 March 2015, notified to the Commission on 23 March 2015, in Case T-413/13 *City Cycle Industries v. Council of the European Union*, reject the Application at first instance, and order the Applicant to pay the costs;

or, alternatively,

- refer back the case to the General Court for reconsideration; reserve the costs of the proceedings at first instance and on appeal.

**Pleas in law and main arguments**

The appeal brought by the Commission concerns the judgment of the General Court of 19 March 2015 in Case T-413/13. In that judgment, the General Court annulled, to the extent that it concerns City Cycle Industries, Article 1(1) and 3 of Council Implementing Regulation (EU) No 501/2013<sup>(1)</sup> of 29 May 2013 extending the definitive anti-dumping duty imposed by Implementing Regulation (EU) No 990/2011 on imports of bicycles originating in the People's Republic of China to imports of bicycles consigned from Indonesia, Malaysia, Sri Lanka and Tunisia, whether declared as originating in Indonesia, Malaysia, Sri Lanka and Tunisia or not.

The Commission relies, in support of its appeal, on four grounds of appeal. First, the Commission argues that the General Court failed to assess ex officio whether the action for annulment was admissible under Article 263(4) TFEU. Second, the Commission considers that the General Court could not legally draw the conclusion that the Council had breached Article 13(1) of the Basic anti-dumping Regulation<sup>(2)</sup>, because such a conclusion is based on an incorrect interpretation of the relevant recital of the contested Regulation and on an incorrect interpretation of Article 13(1) of the Basic anti-dumping Regulation. Third, the Commission argues that the General Court did not provide a sufficient reasoning for its conclusion, in breach of Article 36 of the Statute of the Court of Justice of the European Union. Fourth, the Commission considers that the General Court breached the procedural rights of the Commission under Article 40 of the Statute of the Court of Justice.

<sup>(1)</sup> OJ L 153, p. 1.

<sup>(2)</sup> Council Regulation (EC) No 1225/2009 of 30 November 2009 on protection against dumped imports from countries not members of the European Community  
OJ L 343, p. 51.

**Appeal brought on 1 June 2015 by Council of the European Union against the judgment of the  
General Court (Seventh Chamber) delivered on 19 March 2015 in Case T-412/13: Chin Haur  
Indonesia, PT v Council of the European Union**

**(Case C-259/15 P)**

(2015/C 254/16)

*Language of the case: English*

**Parties**

*Appellant:* Council of the European Union (represented by: S. Boelaert, agent, R. Bierwagen, C. Hipp, Rechtsanwälte)

*Other parties to the proceedings:* Chin Haur Indonesia, PT, European Commission, Maxcom Ltd

**Form of order sought**

The Council respectfully requests the Court:

- that the judgment of the General Court of 19 March 2015, notified to the Council on 23 March 2015, in Case T-412/13 *Chin Haur Indonesia, PT v Council of the European Union* be set aside;