

Re:

Application pursuant to Article 263 TFEU seeking annulment of Commission Decision 2014/539/EU of 27 March 2014 on the State aid SA.34572 (20113/C) (ex 13/NN) implemented by Greece for Larco General Mining & Metallurgical Company S.A. (OJ 2014 L 254, p. 24).

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders Larko Geniki Metalliftiki kai Metallourgiki AE to pay the costs.

⁽¹⁾ OJ C 292, 1.9.2014.

Judgment of the General Court of 5 February 2018 — Dôvera zdravotná poisťovňa v Commission
(Case T-216/15) ⁽¹⁾

(State aid — Health insurance bodies — Capital increase, debt repayment, subsidies and Risk Equalisation Scheme — Decision finding no State aid — Concept of State aid — Concept of undertaking and economic activity — Principle of solidarity — State supervision — Activity that is economic in nature — Competition on quality — Presence of operators seeking to make a profit — Pursuit, use and distribution of profits — Error of law — Error of assessment)

(2018/C 104/32)

Language of the case: English

Parties

Applicant: Dôvera zdravotná poisťovňa, a.s. (Bratislava, Slovakia) (represented by: O. Brouwer and A. Pliego Selie, lawyers)

Defendant: European Commission (represented by: P.-J. Loewenthal and L. Armati, acting as Agents)

Intervener in support of the applicant: Union zdravotná poisťovňa a.s. (Bratislava) (represented by: initially E. Pijnacker Hordijk and A. ter Haar, and subsequently A. ter Haar, lawyers)

Intervener in support of the defendant: Slovak Republic (represented by: B. Ricziová, acting as Agent)

Re:

Application pursuant to Article 263 TFEU for annulment of Commission Decision (EU) 2015/248 of 15 October 2014 on the measures SA.23008 (2013/C) (ex 2013/NN) granted by the Slovak Republic to Spoločná zdravotná poisťovňa, a.s. (SZP) and Všeobecná zdravotná poisťovňa, a.s. (VšZP) (OJ 2015 L 41, p. 25).

Operative part of the judgment

The Court:

1. Annuls Commission Decision (EU) 2015/248 of 15 October 2014 on the measures SA.23008 (2013/C) (ex 2013/NN) implemented by the Slovak Republic for Spoločná zdravotná poisťovňa, a.s. (SZP) and Všeobecná zdravotná poisťovňa, a.s. (VšZP);

2. *Orders the European Commission to bear its own costs and to pay those incurred by Dôvera zdravotná poisťovňa, a.s. and by Union zdravotná poisťovňa a.s.;*
3. *Orders the Republic of Slovakia to bear its own costs.*

⁽¹⁾ OJ C 262, 10.8.2015.

Judgment of the General Court of 5 February 2018 — Pari Pharma v EMA

(Case T-235/15) ⁽¹⁾

(Access to documents — Regulation (EC) No 1049/2001 — Documents held by the EMA and submitted in the context of the application for marketing authorisation for the medicinal product Vantobra — Decision to grant a third party access to the documents — Exception relating to the protection of commercial interests — No general presumption of confidentiality)

(2018/C 104/33)

Language of the case: English

Parties

Applicant: Pari Pharma GmbH (Starnberg, Germany) (represented by: M. Epping and W. Rehmann, lawyers)

Defendant: European Medicines Agency (EMA) (represented by: T. Jabłoński, A. Rusanov, S. Marino, A. Spina and N. Rampal Olmedo, acting as Agents)

Interveners in support of the defendant: French Republic (represented by: D. Colas and J. Traband, acting as Agents) and Novartis Europharm Ltd (Camberley, United Kingdom) (represented by: C. Schoonderbeek, lawyer)

Re:

Action under Article 263 TFEU for the annulment of Decision EMA/271043/2015 of the EMA of 24 April 2015, granting to a third party, pursuant to Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents (OJ 2001 L 145, p. 43), access to documents containing information submitted in the context of an application for marketing authorisation for the medicinal product Vantobra.

Operative part of the judgment

The Court:

1. *Dismisses the action;*
2. *Orders Pari Pharma GmbH to bear its own costs and to pay those incurred by the European Medicines Agency (EMA), including those relating to the application for interim measures;*
3. *Orders the French Republic to bear its own costs;*
4. *Orders Novartis Europharm Ltd to bear its own costs.*

⁽¹⁾ OJ C 221, 6.7.2015.