

Pleas in law and main arguments

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

1. First plea in law, alleging, generally, that the Commission's assertions are neither supported by the facts nor justified in law.
2. Second plea in law, alleging that the assertion that the taxation system at issue constitutes corporation tax is not justified in law.
3. Third plea in law, alleging that the Commission neglected to take into account Member States' prerogatives over:
 - the definition of non-economic activities;
 - the definition of direct taxation;
 - the obligation to ensure the proper functioning of services of general interest necessary for social and economic cohesion;
 - the discretionary organisation of services in the public interest.
4. Fourth plea in law, alleging that the essential activities of the Walloon ports are services of public interest that are not governed, in accordance with European legislation (Articles 93 and 106(2) TFEU), by the competition rules laid down by Article 107 TFEU.
5. Fifth plea in law, put forward in the alternative, alleging that if the essential activities of the inland Walloon ports fall within the scope of services of general economic interest, they are governed by the rules of Articles 93 and 106(2) TFEU and that the competition rules are not applicable to them.
6. Sixth plea in law, put forward in the further alternative, alleging that the European criteria for the definition of State aid are not met.

Action brought on 29 July 2015 — European Dynamics Luxembourg and Others v European Medicines Agency

(Case T-440/15)

(2015/C 337/32)

Language of the case: Greek

Parties

Applicants: European Dynamics Luxembourg SA (Luxembourg, Luxembourg), Evropaiki Dinamiki — Proigmena Sistimata Tilepikinonion Pliroforikis kai Tilematikis AE (Athens, Greece), European Dynamics Belgium SA (Brussels, Belgium) (represented by: I. Ambazis and M. Sfyri, lawyers)

Defendant: European Medicines Agency

Form of order sought

The applicants claim that the General Court should:

- annul the Request Form for Services of the European Medicines Agency No SC002, in the context of the EMA/2012/10/ICT framework-agreement, which was communicated to the applicants on 22/05/2015, by means of an e-mail from the Head of the Central Sourcing Unit; and
- order the European Medicines Agency to pay all the costs of the applicants.

Pleas in law and main arguments

In the opinion of the applicants, the contested Request Form for Services should be annulled under Article 263 TFEU, because the EMA altered the award criteria which were set out in the Technical Specifications, and introduced new criteria at the stage of sending a request form for the services of business analysts.

Action brought on 11 August 2015 — Almashreq Investment Fund v Council

(Case T-463/15)

(2015/C 337/33)

Language of the case: French

Parties

Applicant: Almashreq Investment Fund (Damascus, Syria) (represented by: E. Ruchat, lawyer)

Defendant: Council of the European Union

Form of order sought

The applicant claims that the Court should:

- Declare the applicant's action admissible and well founded;
- Consequently, annul Decision (CFSP) 2015/837 of 28 May 2015 and the subsequent measures implementing it, in so far as they relate to the applicant;
- Order the Council of the European Union to pay the costs of the proceedings.

Pleas in law and main arguments

In support of the action, the applicant raises three pleas in law which are, in essence, identical or similar to those raised in Case T-432/11 in *Makhlouf v Council* ⁽¹⁾.

⁽¹⁾ OJ C 290, p. 13.
