

Judgment of the Court (Sixth Chamber) of 26 October 2017 — Global Steel Wire, SA (C-454/16 P), Moreda-Riviere Trefilerías SA (C-455/16 P), Trefilerías Quijano SA (C-456/16 P), Trenzas y Cables de Acero PSC SL (C-458/16 P) v European Commission

(Joined Cases C-454/16 P to C-456/16 P to C-458/16 P) ⁽¹⁾

(Appeal — Regulation (EC) No 1/2003 — Competition — Agreements, decisions and concerted practices — European prestressing steel market — Infringement of Article 101 TFEU — Fines — 2006 Guidelines on the method of setting fines — Paragraph 35 — Ability to pay — New request for a reduction in the amount of the fine on the ground of inability to pay — Letter of rejection — Action brought against that letter — Admissibility)

(2017/C 437/15)

Language of the cases: Spanish

Parties

Appellants: Global Steel Wire, SA (C-454/16 P), Moreda-Riviere Trefilerías SA (C-455/16 P), Trefilerías Quijano SA (C-456/16 P), Trenzas y Cables de Acero PSC SL (C-458/16 P) (represented by: F. González Díaz, A. Tresandi Blanco and V. Romero Algarra, abogados)

Other party to the proceedings: European Commission (represented by: F. Castillo de la Torre and C. Urraca Caviedes, acting as Agents)

Operative part of the judgment

The Court:

1. Dismisses the appeals;
2. Orders Global Steel Wire SA, Moreda-Riviere Trefilerías SA, Trefilerías Quijano SA and Trenzas y Cables de Acero PSC SL to pay the costs.

⁽¹⁾ OJ C 392, 24.10.2016.

Judgment of the Court (Sixth Chamber) of 26 October 2017 — Global Steel Wire, SA (C-457/16 P), Trenzas y Cables de Acero PSC SL (C-459/16 P), Trefilerías Quijano SA (C-460/16 P), Moreda-Riviere Trefilerías SA (C-461/16 P) v European Commission

(Joined Cases C-457/16 P and C-459/16 P to C-461/16 P) ⁽¹⁾

(Appeal — Regulation (EC) No 1/2003 — Competition — Agreements, decisions and concerted practices — European prestressing steel market — Infringement of Article 101 TFEU — Attributability of unlawful conduct of subsidiaries to their parent company — Definition of ‘undertaking’ — Evidence for the finding of an economic unit — Presumption of actual exercise of decisive influence — Successive undertakings — Amount of the fine — Ability to pay — Conditions — Observance of the rights of the defence)

(2017/C 437/16)

Language of the cases: Spanish

Parties

Appellants: Global Steel Wire, SA (C-457/16 P), Trenzas y Cables de Acero PSC SL (C-459/16 P), Trefilerías Quijano SA (C-460/16 P), Moreda-Riviere Trefilerías SA (C-461/16 P) (represented by: F. González Díaz, A. Tresandi Blanco and V. Romero Algarra, abogados)

Other party to the proceedings: European Commission (represented by: F. Castillo de la Torre and C. Urraca Caviedes, acting as Agents, assisted by L. Ortiz Blanco and A. Lamadrid de Pablo, abogados)