

2. Orders the European Commission to bear its own costs and to pay the costs incurred by Ryanair and Airport Marketing Services;
3. Orders the Council of the European Union to pay its own costs;
4. Orders the Republic of Latvia to bear its own costs.

⁽¹⁾ OJ C 165, 10.5.2016.

Judgment of the General Court of 13 December 2018 — Ryanair and Airport Marketing Services v Commission

(Case T-165/16) ⁽¹⁾

(State aid — Agreements concluded with the airline Ryanair and its subsidiary Airport Marketing Services — Airport services — Marketing services — Decision declaring the aid to be incompatible with the internal market and ordering its recovery — Notion of State aid — Advantage — Private investor test — Recovery — Article 41 of the Charter of Fundamental Rights of the European Union — Access to the file — Right to be heard)

(2019/C 82/46)

Language of the case: English

Parties

Applicants: Ryanair DAC, formerly Ryanair Ltd (Dublin, Ireland), Airport Marketing Services Ltd (Dublin) (represented by: G. Berrisch, E. Vahida, I.-G. Metaxas-Maranghidis, lawyers, and B. Byrne, Solicitor)

Defendant: European Commission (represented by: L. Flynn, L. Armati, and S. Noë, acting as Agents)

Intervener in support of the defendant: Council of the European Union (represented by: S. Boelaert and S. Petrova, acting as Agents)

Re:

Action under Article 263 TFEU for the partial annulment of Commission Decision (EU) 2016/287 of 15 October 2014 on State aid SA.26500 — 2012/C (ex 2011/NN, ex CP 227/2008) implemented by Germany for Flugplatz Altenburg-Nobitz GmbH and Ryanair Ltd (OJ 2016 L 59, p. 22).

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders Ryanair DAC and Airport Marketing Services Ltd to bear their own costs and to pay those incurred by the European Commission;
3. Orders the Council of the European Union to bear its own costs.

⁽¹⁾ OJ C 222, 20.6.2016.