

Order of the General Court of 12 January 2017 — ACDA and Others v Commission**(Case T-242/15) ⁽¹⁾****(Action for annulment — State aid — Extension of concession contracts — Motorway investment plan in France — Decision not to raise any objections — Association — Act not of individual concern — Regulatory act entailing implementing measures — Inadmissibility)**

(2017/C 070/29)

*Language of the case: French***Parties**

Applicants: Automobile club des avocats (ACDA) (Paris, France), Organisation des transporteurs routiers européens (OTRE) (Bordeaux, France), Fédération française des motards en colère (FFMC) (Paris), Fédération française de motocyclisme (Paris), Union nationale des automobile clubs (Paris) (represented by: M. Lesage, lawyer)

Defendant: European Commission (represented by: L. Flynn and R. Sauer, acting as Agents)

Re:

Action on the basis of Article 263 TFEU seeking the annulment of Commission Decision C(2014) 7850 final of 28 October 2014 on State aid SA.2014/N 38271 — France — Motorway investment plan.

Operative part of the order

1. *The action is dismissed as inadmissible.*
2. *There is no need to adjudicate on the application to intervene submitted by the French Republic.*
3. *The Automobile club des avocats (ACDA), the Organisation des transporteurs routiers européens (OTRE), the Fédération française des motards en colère (FFMC), the Fédération française de motocyclisme and the Union nationale des automobile clubs shall bear their own costs and pay those incurred by the European Commission.*
4. *The French Republic shall bear its own costs in relation to the application to intervene.*

⁽¹⁾ OJ C 236, 20.7.2015.

Action brought on 22 December 2016 — Ms v Commission**(Case T-435/16)**

(2017/C 070/30)

*Language of the case: French***Parties**

Applicant: Ms (Castries, France) (represented by: L. Levi and M. Vandenbussche, lawyers)

Defendant: European Commission

Form of order sought

The applicant claims that the Court should:

declare the present action admissible and well founded;

as a result,

- annul the Commission's decision refusing to communicate personal data concerning the applicant, taken on 16 June 2016;
- order payment of compensation for the non-material harm resulting from the European Commission's misconduct, assessed *ex aequo et bono* at EUR 20 000;
- order the defendant to pay the costs in their entirety.

Pleas in law and main arguments

In support of the action, the applicant relies on a single plea in law, alleging infringement of Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data (OJ 2001 L 8, p. 1) and, in particular, of Articles 8, 13 and 20 thereof. The applicant also alleges infringement of the fundamental right of access to personal data and of the right to respect for private life, as well as infringement of the principles of the rights of the defence, equality of arms and the right to good administration. In addition, it argues that the contested decision is vitiated by an unlawful and unfounded statement of reasons. All those illegalities constitute as many instances of misconduct which have caused the applicant real and certain harm.

Action brought on 14 September 2016 — PJ v EUIPO — Erdmann & Rossi (Erdmann & Rossi)
(Case T-664/16)
(2017/C 070/31)

Language in which the application was lodged: German

Parties

Applicant: PJ (represented by: B. Schürmann, lawyer)

Defendant: European Union Intellectual Property Office (EUIPO)

Other party to the proceedings before the Board of Appeal: Erdmann & Rossi GmbH (Berlin, Germany)

Details of the proceedings before EUIPO

Proprietor of the mark at issue: Applicant

Mark at issue: EU word mark 'Erdmann & Rossi' — EU trade mark No 10 310 481

Proceedings before EUIPO: Invalidity proceedings

Contested decision: Decision of the Fourth Board of Appeal of EUIPO of 18 July 2016 in Case R 1670/2015-4

Form of order sought

The applicant claims that the Court should:

- annul the contested decision;