

Defendant: European Commission (represented by: B. Ernst, T. Franchoo, C. Sjödin and F. van Schaik, acting as Agents)

Re:

Application under Article 263 TFEU for, primarily, annulment of Commission Decision C(2018) 1768 final of 21 March 2018 relating to a proceeding under Article 101 [TFEU] and Article 53 of the EEA Agreement (Case AT.40136 — Capacitors), in so far as it concerns the applicant, and, in the alternative, a reduction in the amount of the fine imposed on the applicant by that decision.

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders Nichicon Corporation to bear its own costs and to pay those incurred by the European Commission.

(¹) OJ C 294, 20.8.2018.

Judgment of the General Court of 29 September 2021 — Tokin v Commission

(Case T-343/18) (¹)

(Competition — Agreements, decisions and concerted practices — Market for aluminium electrolytic capacitors and tantalum electrolytic capacitors — Decision finding an infringement of Article 101 TFEU and Article 53 of the EEA Agreement — Price coordination throughout the EEA — Statement of objections — 2006 Guidelines on the method of setting fines — Value of sales — Proportionality — Equal treatment — Gravity of the infringement — Mitigating circumstances)

(2021/C 471/48)

Language of the case: English

Parties

Applicant: Tokin Corp. (Sendai, Japan) (represented by: C. Thomas, lawyer, and T. Yuen, Solicitor)

Defendant: European Commission (represented by: A. Cleenewerck de Crayencour, F. van Schaik and L. Wildpanner, acting as Agents)

Re:

Application under Article 263 TFEU for, primarily, annulment of Commission Decision C(2018) 1768 final of 21 March 2018 relating to a proceeding under Article 101 [TFEU] and Article 53 of the EEA Agreement (Case AT.40136 — Capacitors), in so far as that decision imposes fines on the applicant, and, in the alternative, a reduction in the amount of those fines.

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders Tokin Corp. to bear its own costs and to pay the costs incurred by the European Commission.

(¹) OJ C 294, 20.8.2018.