

Judgment of the General Court of 13 July 2022 — Tartu Agro v Commission(Case T-150/20) ⁽¹⁾

(State aid — Agriculture — Lease contract for agricultural land in Estonia — Decision declaring the aid incompatible with the internal market and ordering its recovery — Advantage — Determination of the market price — Private operator principle — Complex economic assessments — Judicial review — Taking into account of all relevant factors — Duty of care)

(2022/C 340/37)

Language of the case: Estonian

Parties

Applicant: Tartu Agro AS (Tartu, Estonia) (represented by: T. Järviste, T. Kaurov, M. Valberg and M. Peetsalu, lawyers)

Defendant: European Commission (represented by: V. Bottka and E. Randvere, acting as Agents)

Re:

By its action based under Article 263 TFEU, the applicant seeks annulment of Commission Decision C(2020) 252 final of 24 January 2020 on State aid SA.39182 (2017/C) (ex 2017/NN) (ex 2014/CP) — Alleged illegal aid to AS Tartu Agro.

Operative part of the judgment

The Court:

1. Annuls Commission Decision C(2020) 252 final of 24 January 2020 on State aid SA.39182 (2017/C) (ex 2017/NN) (ex 2014/CP) — Alleged illegal aid to AS Tartu Agro;
2. Orders the European Commission to bear its own costs and to pay those incurred by Tartu Agro, including those relating to the interlocutory proceedings.

⁽¹⁾ OJ C 175, 25.5.2020.

Judgment of the General Court of 6 July 2022 — JP v Commission(Case T-179/20) ⁽¹⁾

(Civil service — Open competition — Notice of Competition EPSO/AD/363/18 for the recruitment of administrators in the field of taxation (AD 7) — Non-inclusion on the reserve list — Composition of the selection board — Stability — Manifest error of assessment — Liability)

(2022/C 340/38)

Language of the case: English

Parties

Applicant: JP (represented by: S. Rodrigues and A. Champetier, lawyers)

Defendant: European Commission (represented by: T. Lilamand, D. Milanowska and A.-C. Simon, acting as Agents)

Re:

By her action under Article 270 TFEU, the applicant seeks, first, annulment of the decision of 10 December 2019 by which the selection board for Competition EPSO/AD/363/18 refused, after review, to include her name on the reserve list of successful candidates in that competition and, second, compensation for the damage which she claims to have suffered as a result of that decision.

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders JP to pay the costs.

(¹) OJ C 209, 22.6.2020.

Judgment of the General Court of 6 July 2022 — Aerospinning Master Franchising v EUIPO — Mad Dogg Athletics (SPINNING)

(Case T-246/20) (¹)

(EU trade mark — Revocation proceedings — EU word mark SPINNING — Trade mark which has become the common name in the trade for a product or service in respect of which it is registered — Article 51(1)(b) of Regulation (EC) No 207/2009 (now Article 58(1)(b) of Regulation (EU) 2017/1001) — Relevant public)

(2022/C 340/39)

Language of the case: English

Parties

Applicant: Aerospinning Master Franchising s. r. o. (Prague, Czech Republic) (represented by: K. Labalestra, lawyer)

Defendant: European Union Intellectual Property Office (represented by: D. Walicka and V. Ruzek, acting as Agents)

Other party to the proceedings before the Board of Appeal of EUIPO, intervener before the General Court: Mad Dogg Athletics, Inc. (Venice, California, United States) (represented by: J. Steinberg, lawyer)

Re:

By its action under Article 263 TFEU, the applicant seeks the annulment of the decision of the Fourth Board of Appeal of the European Union Intellectual Property Office (EUIPO) of 26 February 2020 (Case R 369/2019-4), relating to revocation proceedings between itself and the intervener.

Operative part of the judgment

The Court:

1. Dismisses the action.
2. Orders Aerospinning Master Franchising s. r. o. to pay the costs.

(¹) OJ C 215, 29.6.2020.

Judgment of the General Court of 6 July 2022 — Zhejiang Hangtong Machinery Manufacture and Ningbo Hi-Tech Zone Tongcheng Auto Parts v Commission

(Case T-278/20) (¹)

(Dumping — Imports of steel road wheels originating in China — Imposition of a definitive anti-dumping duty and definitive collection of the provisional duty — Articles 17(4), 18 and 20 of Regulation (EU) 2016/1036 — Lack of cooperation — Insufficient information provided to the Commission)

(2022/C 340/40)

Language of the case: English

Parties

Applicants: Zhejiang Hangtong Machinery Manufacture Co. Ltd (Taizhou, China) and Ningbo Hi-Tech Zone Tongcheng Auto Parts Co. Ltd (Ningbo, China) (represented by: K. Adamantopoulos and P. Billiet, lawyers)