

Defendants: European Commission (represented by: G. Wils and A. Sipos, acting as Agents), European Medicines Agency (represented by: S. Marino, S. Drosos, C. Bortoluzzi and H. Kerr, acting as Agents)

Re:

By its action on the basis of Article 263 TFEU, the applicant seeks annulment of the Commission's Implementing Decision of 6 July 2020 refusing marketing authorisation for Hopveus — sodium oxybate, a medicinal product for human use, under Regulation (EC) No 726/2004 of the European Parliament and of the Council of 31 March 2004 laying down Community procedures for the authorisation and supervision of medicinal products for human and veterinary use and establishing a European Medicines Agency (OJ 2004 L 136, p. 1).

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders Debregeas et associés Pharma (D & A Pharma) to pay the costs.

(¹) OJ C 371, 3.11.2020.

**Judgment of the General Court of 2 March 2022 — Genekam Biotechnology v Commission
(Case T-579/20) (¹)**

(Grant agreement concluded under the Seventh Framework Programme for research, technological development and demonstration activities (2007-2013) — Fibrogelnet project — Recovery of an amount receivable — Risk avoidance mechanism — Amount receivable effectively recovered from the Guarantee Fund — Decision establishing a pecuniary obligation and forming an enforceable decision — Article 299 TFEU — Competence of the author of the act — Termination of the applicant's participation in the project — Eligible costs — Reports and deliverables)

(2022/C 198/52)

Language of the case: German

Parties

Applicant: Genekam Biotechnology AG (Duisburg, Germany) (represented by: S. Hertwig, lawyer)

Defendant: European Commission (represented by: L. André, J. Estrada de Solà and R. Pethke, acting as Agents)

Re:

Application under Article 263 TFEU for annulment of Commission Decision C(2020) 5548 final of 7 August 2020 establishing a pecuniary obligation and forming an enforceable decision against the applicant for the amount of EUR 119 659,55, together with default interest, arising from the grant that it received in respect of the Fibrogelnet project.

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders Genekam Biotechnology AG to pay the costs, including those relating to the proceedings for interim measures.

(¹) OJ C 414, 30.11.2020.