

— order the Republic of Bulgaria to pay the costs of the proceedings.

Pleas in law and main arguments

In breach of the abovementioned provisions of Directive (EU) 2017/1132 of the European Parliament and of the Council of 14 June 2017 relating to certain aspects of company law (OJ 2017 L 169, p. 46), the Republic of Bulgaria has failed to connect the Bulgarian commercial register to the Business Registers Interconnection System (BRIS).

⁽¹⁾ OJ 2017 L 169, p. 46.

Action brought on 21 December 2021 — European Commission v Republic of Poland

(Case C-814/21)

(2022/C 84/41)

Language of the case: Polish

Parties

Applicant: European Commission (represented by: J. Tomkin and A. Szmytkowska, acting as Agents)

Defendant: Republic of Poland

Form of order sought

The applicant claims that the Court should:

- declare that, by denying citizens of the European Union who do not have Polish nationality but who reside in the Republic of Poland the right to become members of a political party, the Republic of Poland has failed to fulfil its obligations under Article 22 of the Treaty on the Functioning of the European Union;
- order the Republic of Poland to pay the costs.

Pleas in law and main arguments

Under Article 22 of the Treaty on the Functioning of the European Union, every citizen of the Union residing in a Member State of which he or she is not a national is to have the right to vote and to stand as a candidate in municipal elections and in elections to the European Parliament in the Member State in which he or she resides, under the same conditions as nationals of that State.

The Commission takes the view that denying citizens of the Union who do not have Polish nationality but who reside in the Republic of Poland the right to become members of a political party prevents them from exercising their political rights as conferred on them by Article 22 of the Treaty on the Functioning of the European Union under the same conditions as Polish nationals.

Appeal brought on 21 December 2021 by Amazon.com, Inc., Amazon Services LLC, Amazon EU Sàrl, Amazon Europe Core Sàrl against the order of the General Court (First Chamber) delivered on 14 October 2021 in Case T-19/21, Amazon.com and Others v Commission

(Case C-815/21 P)

(2022/C 84/42)

Language of the case: English

Parties

Appellants: Amazon.com, Inc., Amazon Services LLC, Amazon EU Sàrl, Amazon Europe Core Sàrl (represented by: A. Komninos, dikigoros, G. Tantulli, abogado)

Other party to the proceedings: European Commission

Form of order sought

The Appellants claim that the Court should:

- set aside the order under appeal;
- dismiss the plea of inadmissibility in its entirety;
- refer the case back to the General Court in order for the latter to examine the substance of the Application.

Pleas in law and main arguments

The Appellants claim that the order under appeal infringed Article 263 TFEU by concluding that the measure contested in the Application did not produce legal effects. Such infringement is the result of an erroneous interpretation of Article 11(6) of Regulation 1/2003⁽¹⁾, which accords undertakings legal protection from parallel antitrust proceedings as between the Commission and national competition authorities. The order under appeal failed to recognize that the contested measure deprived Amazon of that protection.

⁽¹⁾ Council Regulation (EC) No 1/2003 of 16 December 2002 on the implementation of the rules on competition laid down in Articles 81 and 82 of the Treaty (OJ 2003, L 1, p. 1).

Appeal brought on 29 December 2021 by Oriol Junqueras i Vies against the order of the General Court (Sixth Chamber) delivered on 14 October 2021 in Case T-100/20 Junqueras i Vies v Parliament

(Case C-824/21 P)

(2022/C 84/43)

Language of the case: Spanish

Parties

Appellant: Oriol Junqueras i Vies (represented by: M. Marsal i Ferret, lawyer)

Other party to the proceedings: European Parliament

Form of order sought

The applicant claims that the Court should:

First. — Set aside the order of 14 October 2021 of the Sixth Chamber of the General Court of the European Union in Case T-100/20.

Second. — Declare the action brought by the appellant to be fully admissible.

Third. — Once the action has been declared admissible, remit the proceedings to the Sixth Chamber of the General Court of the European Union so that it may hear the action.

Fourth. — Order the European Parliament to pay the costs of the proceedings relating to the plea of inadmissibility and the present appeal proceedings.

Pleas in law and main arguments

In support of the appeal, the appellant relies on four pleas in law:

First: The order under appeal is contrary to Article 263 TFEU in so far as it finds that Mr Junqueras has no direct interest in bringing proceedings because he was not a Member of the European Parliament at the time the action was brought. The General Court erred in finding that there had been a withdrawal of the mandate in accordance with the European Electoral Act (Article 13) whereas the internal decision of the Kingdom of Spain constitutes a decision of ineligibility that operates as a ground for incompatibility. Given that that decision does not constitute a withdrawal of the mandate pursuant to Article 13 of the European Electoral Act (and does not constitute a ground for incompatibility pursuant to Article 7 of the European Electoral Act), Mr Junqueras continues to have a real and direct interest in bringing proceedings. In the alternative, the order of the General Court distorts the internal decision of the Kingdom of Spain, in so far as it finds that Mr Junqueras has no direct interest in bringing proceedings, and is contrary to Article 263 TFEU.