



Reports of Cases

Order of the President of the General Court of 24 July 2023 – Zentiva and Zentiva Pharma v Commission

(Case T-278/23 R)

(Interim relief – Medicinal products for human use – Marketing authorisation – Application for interim measures – Application for injunction – Lack of urgency)

1. *Interim relief – Suspension of operation of a measure – Interim measures – Conditions for granting – Prima facie case – Urgency – Serious and irreparable damage – Cumulative nature – Balancing of all the interests involved – Order of examination and method of verification – Discretion of the court hearing the application for interim relief*

(Arts 256(1), 278 and 279 TFEU; Rules of Procedure of the General Court, Art. 156(4))

(see paragraphs 24, 26, 27)

2. *Interim relief – Suspension of operation of a measure – Conditions for granting – Urgency – Serious and irreparable damage – Burden of proof*

(Arts 256(1) and 278 TFEU; Rules of Procedure of the General Court, Art. 156(4))

(see paragraph 30)

Operative part

1. The application for interim measures is dismissed.
2. There is no longer any need to rule on the application to intervene submitted by Biogen Netherlands BV or on the application for confidential treatment submitted by Zentiva k.s. and Zentiva Pharma GmbH.
3. The costs relating to the proceedings for interim relief are reserved.

4. Each party shall bear its own costs relating to the application to intervene submitted by Biogen Netherlands.