

JUDGMENT OF THE COURT OF FIRST INSTANCE
of 29 June 1995

in Case T-36/91: Imperial Chemical Industries plc v.
Commission of the European Communities ⁽¹⁾

*(Competition — Concerted practice — Presumption of
innocence — Administrative procedure — Rights of the
defence — Equality of arms — Access to the file)*

(95/C 208/47)

(Language of the case: English)

In Case T-36/91: Imperial Chemical Industries plc, established in London, represented by David Vaughan QC, Gerald Barling QC and David Anderson, Barrister, members of the Bar of England and Wales, instructed by Victor O. White and Richard J. Coles, Solicitors, with an address for service in Luxembourg at the Chambers of Lambert H. Dupong, 14a Rue des Bains, v. Commission of the European Communities (Agents: Julian Currall and Nicholas Forwood QC) — application for the annulment of Commission Decision 91/297/EEC of 19 December 1990 relating to a proceeding under Article 85 of the EEC Treaty (IV/33.133-A: Soda-ash — Solvay, ICI) ⁽²⁾, the Court of First Instance (first Chamber sitting in extended composition), composed of: J. L. Cruz Vilaça, President, and D. P. M. Barrington, A. Saggio, H. Kirschner and A. Kalogeropoulos, Judges, H. Jung, Registrar, has given a judgment on 29 June 1995, in which it:

1. *annuls Commission Decision 91/297/EEC of 19 December 1990 relating to a proceeding under Article 85 of the EEC Treaty (IV/33.133: Soda-ash — Solvay, ICI) in so far as it concerns the applicant;*

2. *orders the Commission to pay the costs.*

⁽¹⁾ OJ No C 165, 25. 6. 1991.

⁽²⁾ OJ No L 152, 15. 6. 1991, p. 1.

JUDGMENT OF THE COURT OF FIRST INSTANCE
of 29 June 1995

in Case T-37/91 Imperial Chemical Industries plc v.
Commission of the European Communities ⁽¹⁾

*(Competition — Abuse of a dominant position —
Administrative procedure — Rights of the defence —
Equality of arms — Access to the file — Commission's Rules
of Procedure — Authentication of a decision adopted by the
college of Commissioners)*

(95/C 208/48)

(Language of the case: English)

In Case T-37/91: Imperial Chemical Industries plc, established in London, represented by David Vaughan QC, Gerald Barling QC and David Anderson, Barrister,

members of the Bar of England and Wales, instructed by Victor O. White and Richard J. Coles, Solicitors, with an address for service in Luxembourg at the Chambers of Lambert H. Dupong, 14a Rue des Bains, v. Commission of the European Communities (Agents: Julian Currall and Nicholas Forwood QC) — application for the annulment of Commission Decision 91/300/EEC of 19 December 1990 relating to a proceeding under Article 86 of the EEC Treaty (IV/33.133-D: Soda-ash — ICI) ⁽²⁾, the Court of First Instance (First Chamber sitting in extended composition), composed of: J. L. Cruz Vilaça, President, and D. P. M. Barrington, A. Saggio, H. Kirschner and A. Kalogeropoulos, Judges, H. Jung, Registrar, has given a judgment on 29 June 1995, in which it:

1. *annuls Commission Decision 91/300/EEC of 19 December 1990 relating to a proceeding under Article 86 of the EEC Treaty (IV/33.133-D: Soda-ash — ICI);*

2. *orders the Commission to pay the costs.*

⁽¹⁾ OJ No C 165, 25. 6. 1991.

⁽²⁾ OJ No L 152, 15. 6. 1991, p. 40.

JUDGMENT OF THE COURT OF FIRST INSTANCE
of 6 July 1995

in Joined Cases T-447/93, T-448/93 and T-449/93:
Associazione Italiana Tecnico Economica del Cemento and
Others v. Commission of the European Communities ⁽¹⁾

*(State aid — Remedying of a serious disturbance in the
economy of a Member State — Authorization of a general
scheme — Conditional on notification of individual cases —
Examination of the Community context in relation to
individual cases — Economic assessment)*

(95/C 208/49)

(Languages of the case: English and French)

In Joined Cases T-447/93 Associazione Italiana Tecnico Economica del Cemento, established in Rome, represented by Wilma Viscardini Dona, of the Padua Bar, and Éric Morgan de Rivery, of the Paris Bar, with an address for service in Luxembourg at the Chambers of Alex Schmitt, 62 Avenue Guillaume; T-448/93 British Cement Association, established at Wexham Springs (United Kingdom), Blue Circle Industries plc, established in London, Castle Cement Ltd, established at Peterborough (United Kingdom), and The Rugby Group plc, established at Rugby (United Kingdom), represented by Nicholas Forwood QC and Mark Clough, Barrister, of the Bar of England and Wales, instructed by Robert Tudway and Dorcas Rogers, Solicitors, with an address for service in Luxembourg at the Chambers of Arendt & Medernach, 8—10 Rue Mathias Hardt; and T-449/93 Titan Cement Company SA,