

COURT OF FIRST INSTANCE

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Information

(2002/C 202/27)

Designation of Presidents of Chambers and assignment of Judges to Chambers

At its meeting on 4 July 2002 the Court of First Instance decided, pursuant to Article 2(4) of the Council Decision of 24 October 1988 and Articles 10 and 15 of the Rules of Procedure of the Court of First Instance, for the period between 1 October 2002 and 30 September 2003:

- a. to designate as Presidents of Chamber:
 - Judge García-Valdecasas
 - Judge Lenaerts
 - Judge Tiili
 - Judge Forwood
- b. to assign the Members of the Court of First Instance to the Chambers as follows:
 - to the First Chamber:

Mr Vesterdorf (President), Mr Moura Ramos and Mr Legal, Judges;
 - to the First Chamber, Extended Composition:

Mr Vesterdorf (President), Mr Azizi, Mr Moura Ramos, Mr Jaeger and Mr Legal, Judges;
 - to the Second Chamber:

Mr Forwood (President of Chamber), Mr Pirrung and Mr Meij, Judges;
 - to the Second Chamber, Extended Composition:

Mr Forwood (President of Chamber), Mr Pirrung, P. Mengozzi, Mr Meij and Mr Vilaras, Judges;
 - to the Third Chamber:

Mr Lenaerts (President of Chamber), Mr Azizi and Mr Jaeger, Judges;
 - to the Third Chamber, Extended Composition:

Mr Lenaerts (President of Chamber), Ms Lindh, Mr Azizi, Mr Cooke and Mr Jaeger, Judges;
 - to the Fourth Chamber:

Ms Tiili (President of Chamber), Mr Mengozzi and Mr Vilaras, Judges;

to the Fourth Chamber, Extended Composition:

Ms Tiili (President of Chamber), Mr Pirrung, Mr Mengozzi, Mr Meij and Mr Vilaras, Judges;

to the Fifth Chamber:

Mr García-Valdecasas (President of Chamber), Ms Lindh and Mr Cooke, Judges;

to the Fifth Chamber, Extended Composition:

Mr García-Valdecasas (President of Chamber), Ms Lindh, Mr Moura Ramos, Mr Cooke and Mr Legal, Judges;

Where the Judge Rapporteur is assigned to another Chamber of three judges as a result of the amendment of the composition of the Chambers, cases other than trade mark cases assigned to the Second Chamber and a number of staff cases assigned to the First Chamber on a pro rata basis shall be reassigned, with effect from 1 October 2002, to the Chamber to which the Judge Rapporteur belongs after that date.

For cases in which the written procedure was completed and a hearing in the oral procedure was held or fixed before 1 October 2002, the Chamber shall continue to sit with the same composition as before for the oral procedure, the deliberation and the judgment.

Criteria for assigning cases to the Chambers

At its meeting on 4 July 2002, the Court of First Instance established the following criteria for the assignment of cases to the Chambers for the period between 1 October 2002 and 30 September 2003 pursuant to Article 12 of the Rules of Procedure:

1. (a) Actions which concern the implementation of the rules concerning State aid and the rules on trade protection measures shall be assigned, with effect from the lodging of the application and without prejudice to any subsequent application of Articles 14 and 51 of the Rules of Procedure, to Chambers with an extended composition of five Judges.
- (b) All other cases shall be assigned, with effect from the lodging of the application and without prejudice to any subsequent application of Articles 14 and 51 of the Rules of Procedure, to Chambers of three Judges.
2. Cases referred to in paragraphs 1(a) and 1(b) shall be assigned to Chambers as follows:
 - (a) The cases referred to in paragraph 1(a) shall be assigned in turn, according to the order in which they are registered at the Court Registry, to the First, Second, Third, Fourth and Fifth Chambers, Extended Composition;

- (b) Cases concerning intellectual property rights, as referred to in Article 130(1) of the Rules of Procedure, shall be assigned, according to the order in which they are registered at the Court Registry, to the Second, and Fourth Chambers;
- (c) The other cases referred to in paragraph 1(b) shall be assigned to the First, Second, Third, Fourth and Fifth Chambers. Such assignment is to be effected on the basis of three separate rotas, according to the order in which they are registered at the Court Registry:
 - For the cases referred to in Article 236 of the EC Treaty and Article 152 of the EAEC Treaty;
 - For the cases concerning the implementation of the rules on competition applicable to undertakings;
 - For the other cases covered by paragraph 1(b).

For the purposes of the rota mentioned in the first indent above, the assignment of intellectual property cases to the Second and Fourth Chambers on the basis of the rota mentioned in paragraph 2(b) shall be offset by the assignment of cases to the First, Third and Fifth Chambers on a pro rata basis.

For the purposes of the rotas referred to in paragraphs 2(a) and 2(c), the First Chamber and the First Chamber, Extended Composition, presided by the President of the Court of First Instance, shall not be included in those lists every third time the end of a rota is reached.

The President of the Court of First Instance may derogate from that order on the ground that cases are related or with a view to ensuring an even spread of the workload.

Plenary session

At its meeting on 4 July 2002, the Court of First Instance decided pursuant to the second sub-paragraph of Article 32(1) of the Rules of Procedure of the Court of First Instance that where, following the designation of an Advocate General pursuant to Article 17 of the Rules of Procedure, there is an even number of Judges in the Court of First Instance sitting in plenary session, the rota established in advance in accordance with which the President of the Court is to designate the Judge who will not take part in the judgment of the case shall be in reverse order to that in which the Judges rank according to their seniority in office under Article 6 of the Rules of Procedure unless the Judge who would thus be designated is the Judge-Rapporteur. In that event, it shall be the judge ranking immediately above him who shall be designated.

JUDGMENT OF THE COURT OF FIRST INSTANCE

of 4 July 2002

in Case T-340/99: Arne Mathisen AS v Council of the European Union ⁽¹⁾

(Definitive anti-dumping and countervailing duties — Farmed Atlantic salmon — Action for annulment — Undertaking — Circumvention — Obligation to cooperate — Breach — Principle of proportionality — Claim for compensation)

(2002/C 202/28)

(Language of the case: English)

In Case T-340/99, Arne Mathisen AS, established in Værøy (Norway), represented by S. Knudtzon, lawyer, with an address for service in Luxembourg, v Council of the European Union (Agents: S. Marquardt and G. Berrisch), supported by Commission of the European Communities (Agents: V. Kreuschitz and S. Meany): Application for annulment of Council Regulation (EC) No 1895/1999 of 27 August 1999 amending Regulation (EC) No 772/1999 imposing definitive anti-dumping and countervailing duties on imports of farmed Atlantic salmon originating in Norway (OJ 1999 L 233, p. 1) and compensation for damage suffered as a result of the adoption of the regulation, the Court of First Instance (Fourth Chamber, Extended Composition), composed of: M. Vilaras, President, V. Tiili, J. Pirrung, P. Mengozzi and A.W.H. Meij, Judges; J. Plingers, Administrator, for the Registrar, has given a judgment on 4 July 2002, in which it:

1. Dismisses the application;
2. Orders the applicant to bear its own costs and to pay the costs of the Council;
3. Orders the Commission to bear its own costs.

⁽¹⁾ OJ C 79 of 18.3.2000.