

2. *Annuls Articles 3 of Decision 1999/84 in so far as it obliges the Kingdom of Spain to recover State aid granted in the form of debt cancellation by public bodies.*
3. *Dismisses the remainder of the application.*
4. *Orders the Commission to bear its own costs and 30 % of the costs incurred by the applicant.*
5. *Orders the Kingdom of Spain to bear its own costs.*

(¹) OJ C 246 of 28.8.1999.

JUDGMENT OF THE COURT OF FIRST INSTANCE

11 July 2002

in Case T-205/99: Hyper Srl v Commission of the European Communities (¹)

(Customs duties — Importation of television sets from India — Invalid certificates of origin — Application for remission of import duties — Article 13(1) of Regulation (EEC) No 1430/79 — Rights of the defence — Special situation)

(2002/C 219/40)

(Language of the case: German)

In Case T-205/99, Hyper Srl, established in Limena (Italy), represented by D. Ehle and D. Ehle, Rechtsanwälte, with an address for service in Luxembourg, v Commission of the European Communities (Agents: J.-C. Schieferer and M. Nuñez-Müller): Application for annulment of Commission Decision REM 14/98 of 5 February 1999 finding that the remission of import duties due from the applicant in respect of television sets imported from India is not justified, the Court of First Instance (Third Chamber), composed of: M. Jaeger, President, K. Lenaerts and J. Azizi, Judges; H. Jung, Registrar, has given a judgment on 11 July 2002, in which it:

1. *Dismisses the action;*
2. *Orders the applicant to pay the costs.*

(¹) OJ C 333 of 20.11.1999.

JUDGMENT OF THE COURT OF FIRST INSTANCE

of 12 June 2002

in Case T-66/00: B v Commission of the European Communities (¹)

(Officials — Education allowance — Dependent child allowance — Conditions of grant — Recovery of undue payment)

(2002/C 219/41)

(Language of the case: French)

In Case T-66/00: B, an official of the Commission of the European Communities, residing at Tervuren (Belgium), represented by J.-N. Louis, G.-F. Parmentier and V. Peere, lawyers, with an address for service in Luxembourg, v Commission of the European Communities (Agent: J. Currall) — application for annulment of the Commission's decision of 4 March 1999 discontinuing, with effect from 1 September 1997, the education allowance and dependent child allowance paid to the applicant — the Court of First Instance (Fourth Chamber), composed of: M. Vilaras, President, and V. Tiili and P. Mengozzi, Judges; D. Christensen, Administrator, for the Registrar, has given a judgment on 12 June 2002, in which it:

1. *Dismisses the application;*
2. *Orders the parties to bear their own costs.*

(¹) OJ C 135 of 13.5.2000.

JUDGMENT OF THE COURT OF FIRST INSTANCE

9 July 2002

in Case T-333/00: Rougemarine SARL v Commission of the European Communities (¹)

(Programme encouraging the development and distribution of European audiovisual works (MEDIA II) — Decision to award financial support — Refusal — Implied reasons)

(2002/C 219/42)

(Language of the case: French)

In Case T-333/00, Rougemarine SARL, established in Paris (France), represented by T. Levy and O. Rezlan, lawyers, with