

COURT OF FIRST INSTANCE

JUDGMENT OF THE COURT OF FIRST INSTANCE

of 8 July 2004

in Case T-44/00: Mannesmannröhren-Werke v Commission of the European Communities ⁽¹⁾

(Competition — Cartels — Markets in seamless steel tubes — Duration of the infringement — Fines)

(2004/C 239/24)

(Language of the case: German)

In Case T-44/00: Mannesmannröhren-Werke AG, established in Mülheim an der Ruhr (Germany), represented by M. Klusmann, lawyer, with an address for service in Luxembourg, against the Commission of the European Communities (Agents: M. Erhart and A. Whelan, with an address for service in Luxembourg) — application for annulment of Commission Decision 2003/382/EC of 8 December 1999 relating to a proceeding under Article 81 of the EC Treaty (Case IV/E-1/35.860-B seamless steel tubes) (OJ 2003, L 140, p. 1), or, alternatively, a reduction in the amount of the fine imposed on the applicant — the Court of First Instance (Second Chamber), composed of N.J. Forwood, President, J. Pirrung and A.W.H. Meij, Judges; J. Plingers, Administrator, for the Registrar, gave a judgment on 8 July 2004, in which it:

1. Annuls Article 1(2) of Commission Decision 2003/382/EC of 8 December 1999 relating to a proceeding under Article 81 of the EC Treaty (Case IV/E-1/35.860-B seamless steel tubes) in so far as it finds that the infringement imputed to the applicant by that provision existed before 1 January 1991;
2. Sets the amount of the fine imposed on the applicant in Article 4 of Decision 2003/382 at EUR 12,600,000;
3. Dismisses the remainder of the application;
4. Orders the applicant and the Commission to bear their own costs.

⁽¹⁾ OJ C 135 of 13.5.2000.

JUDGMENT OF THE COURT OF FIRST INSTANCE

of 8 July 2004

in Case T-48/00: Corus UK Ltd v Commission of the European Communities ⁽¹⁾

(Competition — Agreements — Seamless steel tubes market — Duration of the infringement — Fines)

(2004/C 239/25)

(Language of the case: English)

In Case T-48/00: Corus UK Ltd, formerly British Steel plc, established in London (United Kingdom), represented by J. Pheasant and M. Readings, solicitors, with an address for service in Luxembourg, against Commission of the European Communities (Agents: initially M. Erhart and B. Doherty, then M. Erhart and A. Whelan) — application for the annulment of Commission Decision 2003/382/EC of 8 December 1999 relating to a proceeding under Article 81 of the EC Treaty (Case IV/E-1/35.860-B seamless steel tubes) (OJ 2003 L 140, p. 1), or, alternatively, a reduction in the amount of the fine imposed on the applicant — the Court of First Instance (Second Chamber), composed of N.J. Forwood, President, J. Pirrung and A.W.H. Meij, Judges; J. Plingers, Administrator, for the Registrar, gave a judgment on 8 July 2004, in which it:

1. Annuls Article 1(2) of Commission Decision 2003/382/EC of 8 December 1999 relating to a proceeding under Article 81 of the EC Treaty (Case IV/E-1/35.860-B seamless steel tubes) in so far as it establishes the existence of the infringement found in that article against the applicant as pre-dating 1 January 1991;
2. Sets the fine imposed on the applicant by Article 4 of Decision 2003/382 at EUR 11,700,000;
3. Dismisses the remainder of the application;
4. Orders the parties to bear their own costs.

⁽¹⁾ OJ C 135 of 13.5.2000.