

Defendants: Council of the European Union (represented by: S. Marquardt and F. Ruggeri Laderchi, Agents) and Commission of the European Communities (initially represented by: P. Kuijper, E. Righini, V. Di Bucci and B. Jansen and then by: P. Kuijper, E. Righini and V. Di Bucci, Agents)

Application for

compensation in respect of the damage allegedly caused by the levying by the United States of America of increased customs duty on the applicants' imports of spectacle cases, as authorised by the Dispute Settlement Body of the World Trade Organisation (WTO), following a finding that the Community regime governing the import of bananas was incompatible with the agreements and understandings annexed to the Agreement establishing the WTO

Operative part of the judgment

The Court:

1. *Dismisses the action;*
2. *Orders the applicants to bear their own costs and to pay those of the Council and the Commission.*

(¹) OJ C 275, 29.9.2001.

Judgment of the Court of First Instance of 14 December 2005 — Honeywell International Inc. v Commission of the European Communities

(Case T-209/01) (¹)

(Action for annulment — Competition — Commission decision declaring a concentration to be incompatible with the common market — Regulation (EEC) No 4064/89 — Ineffectiveness of a partial challenge to the decision — Aeronautical markets — Action that cannot lead to annulment of the decision)

(2006/C 48/48)

Language of the case: English

Parties

Applicant: Honeywell International Inc. (Morristown, New Jersey (United States)) (represented by: K. Lasok QC and F. Depoortere, lawyer)

Defendant: Commission of the European Communities (represented by: R. Lyal, P. Hellström and F. Siredey-Garnier, acting as Agents)

Interveners in support of the defendant: Rolls-Royce plc (London, United Kingdom, represented by A. Renshaw, Solicitor) and Rockwell Collins, Inc. (Cedar Rapids, Iowa, United States, represented by T. Soames, J. Davies, A. Ryan, Solicitors, and P. Camesasca, lawyer)

Application for

the annulment of Commission Decision 2004/134/EC of 3 July 2001 declaring a concentration to be incompatible with the common market and the EEA Agreement (Case No COMP/M.2220 — General Electric/Honeywell) (OJ 2004 L 48, p. 1)

Operative part of the judgment

The Court:

- 1) *Dismisses the application;*
- 2) *Orders the applicant to bear its own costs and to pay those incurred by the Commission and by the interveners.*

(¹) OJ C 331 of 24. 11. 2001.

Judgment of the Court of First Instance of 14 December 2005 — General Electric v Commission

(Case T-210/01) (¹)

(Action for annulment — Competition — Commission decision declaring a concentration to be incompatible with the common market — Regulation (EEC) No 4064/89 — Aeronautical markets — Acquisition of Honeywell by General Electric — Vertical integration — Bundling — Foreclosure — Horizontal overlaps — Rights of the defence)

(2006/C 48/49)

Language of the case: English

Parties

Applicant: General Electric Company (Fairfield, Connecticut (United States)) (represented by: N. Green QC, C. Booth QC, J. Simor, K. Bacon, Barristers, S. Baxter, Solicitor, L. Vogel and J. Vogel, lawyers, and, initially, by M. Van Kerckhove, lawyer, and subsequently by J. O'Leary, Solicitor)

Defendant: Commission of the European Communities (represented by: R. Lyal, P. Hellström and F. Siredey-Garnier, Agents)

Intervener(s) in support of the defendant: Rolls-Royce plc (London (United Kingdom)) (represented by: A. Renshaw, Solicitor) and by Rockwell Collins, Inc. (Cedar Rapids, Iowa (United States)) (represented by: T. Soames, J. Davies and A. Ryan, Solicitors, and P.D. Camesasca, lawyer)