

COURT OF FIRST INSTANCE

Conduct of the activities of the Court of First Instance between 1 and 17 September 2007

(2007/C 155/35)

At its Plenary Meeting of 6 June 2007, the Court of First Instance took note of the fact that, by reason of the Court vacation, the taking of the oath before the Court of Justice by four new Members of the Court of First Instance will take place only after the end of that vacation. Consequently, in accordance with the third paragraph of Article 5 of the Statute of the Court of Justice, until the new Members of the Court of First Instance take up their duties:

- the President of the Court of First Instance will be Mr Vesterdorf;
- the Presidents of the Chambers of five Judges will be Mr Jaeger, Mr Pirrung, Mr Vilaras and Mr Legal, Presidents of Chambers;
- the President of the First Chamber will be Mr Cooke, President of Chamber;
- the decision of 14 January 2006 (OJ 2006 C 10, p. 19) on the composition of the Appeal Chamber and the assignment of cases to that Chamber, the decision of 5 July 2006 (OJ 2006 C 190, p. 14) on the composition of the Grand Chamber and the designation of the Judge replacing the President of the Court of First Instance as the Judge hearing applications for interim measures and the decision of 15 January 2007 (OJ 2007 C 42, p. 22) on the assignment of Judges to Chambers and the criteria for the assignment of cases will continue to apply.

Judgment of the Court of First Instance of 24 May 2007 — Duales System Deutschland v Commission

(Case T-151/01) ⁽¹⁾

(Competition — Abuse of a dominant position — Collection and recovery system for packaging carrying the Der Grüne Punkt logo and put into circulation in Germany — Decision finding abuse of a dominant position — Barrier to entry — Fee payable under the ‘Trade Mark Agreement’)

(2007/C 155/36)

Language of the case: German

Parties

Applicant: Der Grüne Punkt — Duales System Deutschland GmbH, formerly Der Grüne Punkt — Duales System Deutschland AG (Cologne, Germany) (represented by: W. Deselaers, B. Meyring, E. Wagner and C. Weidemann, lawyers)

Defendant: Commission of the European Communities (represented by: initially by S. Rating, and subsequently by P. Oliver, H. Gading and M. Schneider, and finally by W. Mölls and R. Sauer, Agents)

Interveners in support of the defendant: Vfw AG (Cologne, Germany) (represented by H.F. Wissel and J. Dreyer, lawyers); Landbell AG für Rückhol-Systeme (Mayence, Germany); and BellandVision GmbH (Pegnitz, Germany) (represented by: A. Rinne and A. Walz, lawyers)

Re:

Application for annulment of Commission Decision 2001/463/EC of 20 April 2001 relating to a proceeding pursuant to Article 82 [EC] (Case COMP D3/34493 — DSD) (OJ 2001 L 166, p. 1)

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders the applicant, Der Grüne Punkt — Duales System Deutschland GmbH, to bear its own costs and those incurred by the Commission, Landbell AG Rückhol Systeme and BellandVision GmbH, including those relating to the interlocutory proceedings;
3. Orders Vfw AG to bear its own costs, including those relating to the interlocutory proceedings.

⁽¹⁾ OJ C 289, 13.10.2001.

Judgment of the Court of First Instance of 24 May 2007 — Duales System Deutschland v Commission

(Case T-289/01) ⁽¹⁾

(Competition — Agreements, decisions and concerted practices — Collection and recovery system for packaging marketed in Germany bearing the Der Grüne Punkt logo — Decision granting exemption — Obligations imposed by the Commission to ensure competition — Exclusivity granted by the system operator to the collection undertakings used — Restriction of competition — Need to guarantee the access of competitors to the collection facilities used by the system operator — Commitments given by the system operator)

(2007/C 155/37)

Language of the case: German

Parties

Applicant: Der Grüne Punkt — Duales System Deutschland GmbH, formerly Der Grüne Punkt — Duales System Deutschland AG (Cologne, Germany) (represented by: W. Deselaerts, B. Meyring, E. Wagner, lawyers)