

COURT OF FIRST INSTANCE

Judgment of the Court of First Instance of 25 October 2007 — SP and Others v Commission

(Joined Cases T-27/03, T-46/03, T-58/03, T-79/03, T-80/03, T-97/03 and T-98/03) ⁽¹⁾

(Agreements, decisions and concerted practices — Producers of reinforcing bars — Decision establishing an infringement of Article 65 CS — Decision based on the ECSC Treaty after expiry of that treaty — Lack of competence of the Commission)

(2007/C 297/73)

Language of the case: Italian

Parties

Applicant in Case T-27/03: SP SpA (Brescia, Italy) (represented by: G. Belotti and N. Pisani, lawyers)

Applicant in Case T-46/03: Leali SpA (Odolo, Italy) (represented by: G. Vezzoli and G. Belotti, lawyers)

Applicant in Case T-58/03: Acciaierie e Ferriere Leali Luigi SpA (Brescia) (represented by: G. Vezzosi, G. Belotti, E. Piromalli and C. Carmignani, lawyers)

Applicant in Case T-79/03: Industrie Riunite Odolesi SpA (IRO) (Odolo) (represented by: A. Giardina, lawyer)

Applicant in Case T-80/03: Lucchini SpA (Milan, Italy) (represented initially by A. Santa Maria and C. Biscaretti di Ruffia, and subsequently by M. Delfino, M. van der Woude, S. Fontanelli and P. Sorvillo, lawyers)

Applicants in Case T-97/03: Ferriera Valsabbia SpA (Odolo) and Valsabbia Investimenti SpA (Odolo) (represented by: D. Fosselard and P. Fattori, lawyers)

Applicant in Case T-98/03: Alfa Acciai SpA (Brescia) (represented by: D. Fosselard, P. Fattori and G. d'Andria, lawyers)

Defendant: Commission of the European Communities (represented by: L. Pignataro-Nolin and A. Whelan, Agents, assisted in Cases T-27/03 and T-58/03 by M. Moretto and in Cases T-79/03, T-97/03 and T-98/03 by P. Manzini, lawyers)

Intervener in support of the applicants: Italian Republic (represented by: I. Braguglia and M. Fiorilli, Agents)

Re:

Applications for a declaration of the non-existence and for annulment in whole or in part of Commission Decision C(2002) 5087 final of 17 December 2002, relating to a proceeding under Article 65 CS (Case COMP/37.956 — Reinforcing bars).

Operative part of the judgment

The Court:

1. Annuls Commission Decision C (2002) 5087 final of 17 December 2002 relating to a proceeding under Article 65 CS (Case COMP/37.956 — Reinforcing bars) with regard to SP SpA, Leali SpA, Acciaierie e Ferriere Leali Luigi SpA, Industrie Riunite Odolesi SpA (IRO), Lucchini SpA, Ferriera Valsabbia SpA, Valsabbia Investimenti SpA and Alfa Acciai SpA;
2. Orders the Commission to bear its own costs, and to pay those incurred by SP, Leali, Acciaierie e Ferriere Leali Luigi, IRO, Lucchini, Ferriera Valsabbia, Valsabbia Investimenti and Alfa Acciai, including those relating to the interlocutory proceedings in Cases T-46/03 and T-79/03;
3. Orders the Italian Republic to bear its own costs.

⁽¹⁾ OJ C 70, 22.3.2003.

Judgment of the Court of First Instance of 25 October 2007 — Riva Acciaio v Commission

(Case T-45/03) ⁽¹⁾

(Agreements, decisions and concerted practices — Producers of reinforcing bars — Decision establishing an infringement of Article 65 CS — Decision based on the ECSC Treaty after expiry of that treaty — Lack of competence of the Commission)

(2007/C 297/74)

Language of the case: Italian

Parties

Applicant: Riva Acciaio SpA (Milan, Italy) (represented by: A. Pappalardo, M. Merola, M. Pappalardo and F. Martin, lawyers)

Defendant: Commission of the European Communities (represented by: L. Pignataro-Nolin and A. Whelan, Agents, and P. Manzini, lawyer)

Intervener in support of the applicant: Italian Republic (represented by: I. Braguglia and M. Fiorilli, Agents)