

Defendant: European Union Intellectual Property Office (EUIPO) (represented by: S. Hanne, acting as Agent)

Re:

Application pursuant to Article 268 TFEU seeking compensation for material damage which the applicant allegedly sustained on account of lawyers' fees that it incurred in an appeal against a decision of the Opposition Division allegedly adopted in breach of Rule 19(2)(a) of Commission Regulation (EC) No 2868/95 of 13 December 1995 implementing Council Regulation (EC) No 40/94 on the Community trade mark and of general legal principles.

Operative part of the judgment

The Court:

1. *Dismisses the action;*
2. *Orders Novar GmbH and the European Union Intellectual Property Office (EUIPO) each to bear their own costs.*

⁽¹⁾ OJ C 7, 12.1.2015.

Judgment of the General Court of 16 February 2017 — SolarWorld v Commission

(Case T-783/14) ⁽¹⁾

(Dumping — Subsidies — Imports of crystalline silicon photovoltaic modules and key components (cells) originating in or consigned from China — Approval of a downward adjustment of the minimum import price pursuant to an undertaking accepted in connection with anti-dumping and anti-subsidy proceedings — Union industry — Article 8(1) of Regulation (EC) No 1225/2009)

(2017/C 104/60)

Language of the case: English

Parties

Applicant: SolarWorld AG (Bonn, Germany) (represented by: L. Ruessmann, lawyer, and J. Beck, Solicitor)

Defendant: European Commission (represented by: T. Maxian Rusche and A. Stobiecka-Kuik, acting as Agents)

Re:

Application pursuant to Article 263 TFEU for annulment of the Commission's decision, contained in a letter of 15 September 2014 addressed to the Chinese Chamber of Commerce for the Import and Export of Machinery and Electronic Products, bearing the reference TRADE/H4 (2014) 3328168, on the downward adjustment of the minimum import price for imports of photovoltaic modules and cells manufactured by Chinese exporting producers subject to a price undertaking with effect from 1 October 2014 for the last quarter of 2014.

Operative part of the judgment

The Court:

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

⁽¹⁾ OJ C 73, 2.3.2015.