

**Pleas in law and main arguments**

In support of the action, the applicant relies on six pleas in law.

1. First plea in law, alleging that the Commission failed to properly analyse the legal, factual and economic context of the applicant's situation.
2. Second plea in law, alleging that the Commission wrongly concluded that the applicant and Servier were actual or potential competitors under Article 101 TFEU.
3. Third plea in law, alleging that the Commission's wrong conclusion that the patent settlement concluded between the applicant and Servier restricted competition by object under Article 101(1) TFEU rests on erroneous factual and legal analysis as well as on a wrongful application of the established principles on restrictions by object.
4. Fourth plea in law, alleging that the Commission violated the applicant's right of defence by inconsistently examining the Assignment and Licence Agreement and erred in concluding that the Assignment and Licence Agreement amounts to a restriction of competition by object under Article 101(1) TFEU.
5. Fifth plea in law, alleging that the Commission erred in concluding that the agreements concluded between the applicant and Servier restricted competition by effect under Article 101(1) TFEU.
6. Sixth plea in law, alleging that the Commission failed to accurately assess the arguments raised by the applicant under Article 101(3) TFEU.

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**Action brought on 18 September 2014 — EEB/Commission****(Case T-685/14)**

(2014/C 431/58)

*Language of the case: English***Parties**

*Applicant:* European Environmental Bureau (EEB) (Brussels, Belgium) (represented by: S. Podskalská, lawyer)

*Defendant:* European Commission

**Form of order sought**

The applicant claims that the Court should:

- annul the Commission Decision Ares (2014) 2317513, of 11 July 2014, declaring inadmissible the request for internal review, lodged by the applicant, regarding the Commission decision 2014/2002 final, of 31 March 2014, on the notification by the Republic of Bulgaria of a transitional national plan referred to in Article 32 of Directive 2010/75/EU of the European Parliament and of the Council on industrial emissions;
- annul the Commission Decision C 2014/2002 final, of 31 March 2014, on the notification by the Republic of Bulgaria of a transitional national plan referred to in Article 32 of Directive 2010/75/EU of the European Parliament and of the Council on industrial emissions;
- order the defendant to pay the costs of the proceedings.

### Pleas in law and main arguments

In support of the action, the applicant relies on two pleas in law.

1. First plea in law, alleging that the Commission Decision Ares (2014) 2317513, of 11 July 2014, infringes article 17 of the Treaty on the European Union, articles 2(1)(g) and 10 of Regulation (EC) No 1367/2006, the United Nations Economic Commission for Europe Convention on access to information, public participation in decision-making and access to justice in environmental matters (the 'UNECE Convention'), in conjunction with the Council decision, of 17 February 2005 on the conclusion, on behalf of the European Community, of the UNECE Convention (2005/370/EC).
2. Second plea in law, alleging that the Commission Decision C 2014/2002 final, of 31 March 2014, infringes article 17 of the Treaty on the European Union, the Directive 2010/75/EU of the European Parliament and of the Council on industrial emissions, the Commission Implementing Decision 2012/115/EU, of 10 February 2012, laying down rules concerning the transnational plans referred to in Decision 2010/75/EU, the UNECE Convention, in conjunction with the Council Decision, of 17 February 2005 on the conclusion, on behalf of the European Community, of the UNECE Convention (2005/370/EC), Directive 2001/42/EC on the assessment of the effects of certain plans and programs on the environment, and Directive 2008/50/EC of the European Parliament and of the Council, of 21 May 2008, on ambient air quality and cleaner air for Europe.

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**Appeal brought on 12 September 2014 by the European Union Agency for Network and Information Security (ENISA) against the judgment of the Civil Service Tribunal of 2 July 2014 in Case F-63/13 Psarras v ENISA**

**(Case T-689/14 P)**

(2014/C 431/59)

*Language of the case: Greek*

### Parties

*Appellant:* European Union Agency for Network and Information Security (ENISA) (represented by P. Empadinhas and by C. Meidanis, lawyer)

*Other party to the appeal:* Aristides Psarras (Heraklion, Greece)

### Form of order sought by the appellant

The appellant claims that the General Court should:

- set aside in its entirety the judgment of 2 July 2014 of the Civil Service Tribunal in Case F-63/13;
- reject in their entirety the claims made by the applicant at first instance in Case F-63/13; and
- order the applicant at first instance to pay all the legal costs, both before the Civil Service Tribunal and before the General Court.

### Pleas in law and main arguments

In support of the appeal the appellant relies on five grounds.

1. The first ground of appeal claims a distortion of the facts as regards the events of 4 May 2012 and the subsequent period, and an error of law as regards Article 41(2)(a) of the Charter of Fundamental Rights and Article 47 of the Conditions of Employment of other Servants of the European Union (together with Article 59 of the Staff Regulations of Officials of the European Union).