

Judgment of the General Court of 9 April 2019 — Qualcomm and Qualcomm Europe v Commission

(Case T-371/17) ⁽¹⁾

(Competition — Market for baseband chipsets used in consumer electronic devices — Administrative procedure — Article 18(3) and Article 24(1)(d) of Regulation (EC) No 1/2003 — Decision requesting information — Obligation to state reasons — Necessity of the information requested — Proportionality — Burden of proof — Privilege against self-incrimination — Principle of good administration)

(2019/C 187/76)

Language of the case: English

Parties

Applicants: Qualcomm, Inc (San Diego, California, United States), Qualcomm Europe, Inc., (Sacramento, California, United States) (represented by: M. Pinto de Lemos Fermiano Rato and M. Davilla, lawyers)

Defendant: European Commission (represented by: H. van Vliet, G. Conte, M. Farley and C. Urraca Caviedes, Agents)

Re:

Application pursuant to Article 263 TFEU for annulment of Commission Decision C(2017) 2258 final of 31 March 2017 relating to a proceeding pursuant to Article 18(3) and to Article 24(1)(d) of Council Regulation (EC) No 1/2003 (Case AT.39711 — Qualcomm (predation))

Operative part of the judgment

The Court:

1. *Dismisses the action;*
2. *Orders Qualcomm, Inc. and Qualcomm Europe, Inc. to pay the costs, including those of the interim proceedings.*

⁽¹⁾ OJ C 256, 7.8.2017.
