

Order of the President of the General Court of 20 August 2018 — IFSUA v Council**(Case T-251/18 R)*****(Interim measures — Fishing opportunities for certain fish stocks — Measures on European seabass fisheries — Ban on catches in recreational fisheries — Application for suspension of operation of a measure — No urgency)***

(2018/C 381/30)

*Language of the case: Spanish***Parties**

Applicant: International Forum for Sustainable Underwater Activities (IFSUA) (Barcelona, Spain) (represented by: T. Gui Mori, lawyer)

Defendant: Council of the European Union (represented by: F. Naert and P. Plaza García, acting as Agents)

Intervener in support of the Defendant: European Commission (represented by: M. Morales Puerta, F. Moro and A. Stobiecka-Kuik, acting as Agents)

Re:

Application on the basis of Articles 278 and 279 for the suspension of operation of Article 2(2) and Article 9(4) and (5) of Council Regulation (EU) 2018/120 of 23 January 2018 fixing for 2018 the fishing opportunities for certain fish stocks and groups of fish stocks, applicable in Union waters and, for Union fishing vessels, in certain non-Union waters, and amending Regulation (EU) 2017/127 (OJ 2018, L.27, p. 1).

Operative part of the order

1. *The application for interim measures is dismissed.*
2. *The costs are reserved.*

Order of the President of the General Court of 20 July 2018 — CdT v EUIPO**(Case T-417/18 R)*****(Interim measures — Law governing the institutions — Translation services required for the functioning of EUIPO — Use of external contractors — Application for interim measures — No urgency)***

(2018/C 381/31)

*Language of the case: French***Parties**

Applicant: Translation Centre for the bodies of the European Union (CdT) (represented by: J. Rikkert and M. M. Garnier, acting as Agents)

Defendant: European Union Intellectual Property Office (EUIPO) (represented by: N. Bambara and D. Hanf, acting as Agents)

Re:

Application on the basis of Articles 278 and 279 TFEU, first, for the suspension of operation of EUIPO's decisions relating to measures intended to make it possible to use service providers other than the CdT for the translation services required for its functioning and, secondly, for an order requiring EUIPO to publish in the Supplement to the *Official Journal of the European Union* a notice suspending its call for tenders concerning the provision of translation services and not to sign contracts relating to that call for tenders.

Operative part of the order

1. *The application for interim measures is dismissed.*
2. *The costs are reserved.*

Action brought on 9 August 2018 — Compañía de Tranvías de la Coruña v Commission**(Case T-485/18)**

(2018/C 381/32)

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

Applicant: Compañía de Tranvías de la Coruña, SA (A Coruña, Spain) (represented by: J. Monrabà Bagan, lawyer)

Defendant: European Commission

Form of order sought

- annul European Commission decision C(2018) 3780 final of 7 June 2018 concerning access to documents;
- order the defendant to pay the costs.

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 contested decision fails to respect essential procedural requirements.
 - The decision does not provide sufficient reasoning to deny or give only partial access to documents in view of the inexistent link between the pending Court proceedings relied upon (Joined Cases C-350/17 *Mobit* ⁽¹⁾ and C-351/17 *Autolinee Toscane* ⁽²⁾) and the request for access to documents.
 - Sufficient reasoning is an essential procedural requirement and shall always be respected by the European Commission.
 - The lack of sufficient reasoning entails that the contested decision does not comply with Article 296, second paragraph, TFEU, and, thus, is to be considered void under Article 264, first paragraph, TFEU
2. Second plea in law, alleging, alternatively, the concurrence of an overriding public interest in the disclosure of the documents whose access has been denied by the contested decision.
 - The documents whose access has been requested are of public interest since they would help interpreting essential points on EU regulations on public passenger transport services by rail and by road which have been previously applied by the European Commission.
 - Thus, even were the Court to find a link between the abovementioned pending Joined Cases C-350/17 *Mobit* and C-351/17 *Autolinee Toscane* and the request for access to documents, Article 4(2), *in fine*, of Regulation (EC) No 1049/2001 ⁽³⁾ allows for access to documents when there is an overriding public interest.