

Form of order sought

The applicant claims that the Court should:

- declare the action admissible and well-founded;
- annul, on the basis of Article 263 TFEU, the Commission Decision of 7 March 2019 in Case AT.40023 so far as concerns the French market and the existing and future contracts of Groupe Canal +;
- order the Commission to pay all of the costs incurred by the company Groupe Canal +.

Pleas in law and main arguments

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

1. First plea in law, alleging misuse of powers by the Commission in so far as the commitments, which it rendered binding, for the purposes of ending geo-blocking in the field of cinema interfere with the legislative reforms recently adopted by the EU legislature.
2. Second plea in law, alleging that the Commission made a manifest error of assessment in relation to Article 101(1) TFEU in so far as it found that the commitments proposed by NBCUniversal, Sony Pictures, Warner Bros and Sky do not affect the cultural diversity and more generally the financing and exploitation of films in the European Economic Area.
3. Third plea in law, alleging infringement of the principle of proportionality in that the Commission made binding a number of commitments which were manifestly disproportionate to the competition concerns raised and which infringed the interests of third parties.

Action brought on 19 June 2019 — Camerin v Commission

(Case T-367/19)

(2019/C 270/38)

Language of the case: French

Parties

Applicant: Laure Camerin (Bastia, France) (represented by: M. Casado García-Hirschfeld, lawyer)

Defendant: European Commission

Form of order sought

The applicant claims that the Court should:

- declare the application admissible and well-founded;
- consequently, annul the contested decision in part;

- order compensation for non-material damage caused by a series of measures and actions of the PMO which must be the subject of a global assessment and which the applicant estimates at the sum ex aequo et bono of EUR 50 000;
- order the Commission to pay all of the costs.

Pleas in law and main arguments

In support of the action against the decision of the 'Administration and Payment of Individual Entitlements' Office' (the PMO) — relating to the implementation of a garnishee order issued by a Belgian court, in that the PMO still reserves the right to deduct the sum of EUR 3 839,60 from the pension payments that the applicant is yet to receive — the applicant relies on four pleas in law.

1. First plea in law, alleging infringement of Articles 1 and 25 of the Charter of Fundamental Rights of the European Union and of Article 6 of Annex VIII to the Staff Regulations of Officials of the European Union ('the Staff Regulations') and alleging an error of assessment. In that connection, the applicant claims that there is neither any reason nor legal basis which justifies the decision of the PMO to continue to seize more than two thirds of her pension.
2. Second plea in law, alleging infringement of the principle of legality and legal certainty. According to the applicant, the Staff Regulations are a 'lex specialis' which has primacy over any other national law: as regards the minimum subsistence figure there are thus substantive provisions of the Staff Regulations that derogate both from general EU employment law and national employment law.
3. Third plea in law, alleging infringement of the principle of sound administration and duty of care in that no statement of reasons has been provided in relation to the facts or evidence which could justify the decision adopted by the PMO by which it still reserves the right to deduct the sum of EUR 3 839,60 from the pension payments that the applicant is yet to receive.
4. Fourth plea in law, alleging infringement of the principle of equality and non-discrimination, in particular in so far as, if the interpretation of PMO were to be followed, the minimum subsistence figure would depend on the country where the public official resided.

The applicant also seeks compensation for the non-material damage that she claims to have suffered as a result of irregularities allegedly committed by the PMO which make it impossible for her to live in dignity.

Action brought on 18 June 2019 — Datenlotsen Informationssysteme v Commission

(Case T-368/19)

(2019/C 270/39)

Language of the case: German

Parties

Applicant: Datenlotsen Informationssysteme GmbH (Hamburg, Germany) (represented by: T. Lübbig, lawyer)

Defendant: European Commission