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COURT OF JUSTICE OF THE EUROPEAN UNION

Last publications of the Court of Justice of the European Union in the *Official Journal of the European Union*

(2019/C 295/01)

Last publication

OJ C 288, 26.8.2019

Past publications

OJ C 280, 19.8.2019

OJ C 270, 12.8.2019

OJ C 263, 5.8.2019

OJ C 255, 29.7.2019

OJ C 246, 22.7.2019

OJ C 238, 15.7.2019

These texts are available on:

EUR-Lex: <http://eur-lex.europa.eu>

V

(Announcements)

COURT PROCEEDINGS

COURT OF JUSTICE

Request for a preliminary ruling from the Općinski građanski sud u Zagrebu — Stalna služba u Sesvetama (Croatia) lodged on 30 July 2018 and 15 January 2019 — QB, RA v Jadransko osiguranje d.d

(Case C-651/18)

(2019/C 295/02)

*Language of the case: Croatian***Referring court**

Općinski građanski sud u Zagrebu — Stalna služba u Sesvetama

Parties to the main proceedings*Applicants:* QB, RA*Defendant:* Jadransko osiguranje d.d

By order of 11 July 2019, the Court of Justice (Ninth Chamber) declared that the request for a preliminary ruling made by the Općinski građanski sud u Zagrebu (Municipal Civil Court, Zagreb), by decisions of 30 July 2018 and 15 January 2019, is manifestly inadmissible.

Appeal brought on 19 December 2018 by Haskovo Chamber of Commerce and Industry against the judgment of the General Court (Eighth Chamber) delivered on 25 October 2018 in Case T-122/17: Devin v EUIPO — Haskovo

(Case C-800/18 P)

(2019/C 295/03)

*Language of the case: English***Parties***Appellant:* Haskovo Chamber of Commerce and Industry (represented by: I. Pakidanska and D. Dimitrova, advokati)

Other parties to the proceedings: Devin AD, European Union Intellectual Property Office

By order of 11 July 2019 the Court of Justice (Ninth Chamber) held that the appeal is dismissed as in part manifestly inadmissible and in part manifestly unfounded and that Haskovo Chamber of Commerce and Industry shall bear its own costs.

Appeal brought on 25 February 2019 by CheapFlights International Ltd against the order of the General Court (Second Chamber) delivered on 11 December 2018 in Case T-565/17: CheapFlights International v EUIPO — Momondo Group

(Case C-170/19 P)

(2019/C 295/04)

Language of the case: English

Parties

Appellant: CheapFlights International Ltd (represented by: A. von Mühlendahl and H. Hartwig, Rechtsanwälte)

Other party to the proceedings: European Union Intellectual Property Office

By order of 10 July 2019 the Court of Justice (Eighth Chamber) held that the appeal was manifestly unfounded.

Appeal brought on 27 February 2019 by UC against the judgment of the General Court (Ninth Chamber) delivered on 14 December 2018 in Case T-572/17, UC v Parliament

(Case C-196/19 P)

(2019/C 295/05)

Language of the case: French

Parties

Appellant: UC (represented by: A. Tymen, lawyer)

Other party to the proceedings: European Parliament

By order of 23 July 2019, the Court of Justice (Eighth Chamber) dismissed the appeal.

Request for a preliminary ruling from the Juzgado de lo Social No 3 de Barcelona (Spain) lodged on 12 April 2019 — UQ v Marclean Technologies, S.L.U.

(Case C-300/19)

(2019/C 295/06)

Language of the case: Spanish

Referring court

Juzgado de lo Social No 3 de Barcelona

Parties to the main proceedings

Applicant: UQ

Defendant: Marclean Technologies, S.L.U.

Questions referred

1. Must Article 1(1)(a)(i) and (ii) of Council Directive 98/59/EC ⁽¹⁾ of 20 July 1998 on the approximation of the laws of the Member States relating to collective redundancies be interpreted as meaning that the reference period of 30 or 90 days laid down as a condition for the existence of collective redundancies must always be calculated retrospectively from the date of the individual dismissal at issue?
2. Second question: May Article 1(1)(a)(i) and (ii) of Council Directive 98/59/EC on the approximation of the laws of the Member States relating to collective redundancies be interpreted as meaning that the reference period of 30 or 90 days laid down as a condition for the existence of collective redundancies may be calculated prospectively from the date of the individual dismissal at issue without the need for subsequent terminations to be regarded as abusive?
3. Third question: May the reference periods in Article 1(1)(a)(i) and (ii) of Council Directive 98/59/EC on the approximation of the laws of the Member States relating to collective redundancies be interpreted in such a way as to permit account to be taken of dismissals or terminations taking place within 30 or 90 days of the dismissal at issue as falling at some point within those periods?

⁽¹⁾ OJ 1998, L 225, p. 16.

Appeal brought on 5 May 2019 by Meblo Trade d.o.o. against the judgment of the General Court (Third Chamber) delivered on 5 March 2019 in Case T-263/18: Meblo Trade v EUIPO — Meblo Int

(Case C-359/19 P)

(2019/C 295/07)

Language of the case: English

Parties

Appellant: Meblo Trade d.o.o. (represented by: A. Ivanova, адвокат)

Other parties to the proceedings: European Union Intellectual Property Office, Meblo Int, proizvodnja izdelkov za spanje d.o.o.

By order of 10 July 2019 the Court of Justice (Chamber determining whether appeals may proceed) held that the appeal shall not be allowed to proceed and that Meblo Trade d.o.o. shall bear its own costs.

**Request for a preliminary ruling from the Apelativen sad — Plovdiv (Bulgaria) lodged on 21 May 2019 —
Criminal proceedings against OM**

(Case C-393/19)

(2019/C 295/08)

Language of the case: Bulgarian

Referring court

Apelativen sad — Plovdiv

Party to the main proceedings

OM

Questions referred

1. Is Article 17(1) of the Charter of Fundamental Rights of the European Union to be interpreted as meaning that a national provision such as that pursuant to Article 242(8) of the Nakazatelen kodeks (Criminal Code, 'the NK') of the Republic of Bulgaria, according to which a means of transport used to commit aggravated smuggling which belongs to a third person who neither knew nor could or should have known that its employee was committing the offence must be confiscated for the benefit of the State, is unlawful on the grounds that it undermines the fair balance between the public interest and the need to protect the right to property?
 2. Is Article 47 of the Charter of Fundamental Rights of the European Union to be interpreted as meaning that a national provision such as that pursuant to Article 242(8) of the NK, according to which a means of transport owned by a person who is not the person who committed the offence can be confiscated without the owner being guaranteed direct access to the courts to state its case, is unlawful?
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**Request for a preliminary ruling from the Amtsgericht Erding (Germany) lodged on 28 May 2019 — E.M., M.S.
v Eurowings GmbH**

(Case C-414/19)

(2019/C 295/09)

Language of the case: German

Referring court

Amtsgericht Erding

Parties to the main proceedings

Applicants: E.M., M.S.

Defendant: Eurowings GmbH

Question referred

In the case of an air route consisting of several segments, are flights that carry connecting passengers and have not been affected by a disruption to the connecting flight also to be taken into account when determining the distance pursuant to Article 7(1) of Regulation (EC) No 261/2004? ⁽¹⁾

⁽¹⁾ Regulation (EC) No 261/2004 of the European Parliament and of the Council of 11 February 2004 establishing common rules on compensation and assistance to passengers in the event of denied boarding and of cancellation or long delay of flights, and repealing Regulation (EEC) No 295/91 (OJ 2004 L 46, p. 1).

**Request for a preliminary ruling from the Korkein hallinto-oikeus (Finland) lodged on 24 June 2019 —
Veronsaajien oikeudenvaltvontayksikkö**

(Case C-480/19)

(2019/C 295/10)

Language of the case: Finnish

Referring court

Korkein hallinto-oikeus

Parties to the main proceedings

Appellant: E

Other party: Veronsaajien oikeudenvalvontayksikkö

Question referred

Are Articles 63 and 65 TFEU to be interpreted as meaning that they preclude a national interpretation according to which income received by a natural person residing in Finland from an undertaking for collective investment in transferable securities based in another Member State of the Union and constituted in accordance with statute within the meaning of the Investment Fund Directive 2009/65/EC ⁽¹⁾ (UCITS fund in the form of an investment company) is not, for the purposes of income tax, treated in the same way as income received from a Finnish investment fund constituted in accordance with contract law within the meaning of the same Directive (UCITS fund in contract form), because the legal form of the UCITS located in the other Member State does not correspond to the legal structure of the national investment fund?

⁽¹⁾ Directive 2009/65/EC of the European Parliament and of the Council of 13 July 2009 on the coordination of laws, regulations and administrative provisions relating to undertakings for collective investment in transferable securities (UCITS) (OJ 2009 L 302, p. 32).

Request for a preliminary ruling from the Högsta förvaltningsdomstolen (Sweden) lodged on 25 June 2019 — Lexel

(Case C-484/19)

(2019/C 295/11)

Language of the case: Swedish

Referring court

Högsta förvaltningsdomstolen

Parties to the main proceedings

Applicant: Lexel AB

Defendant: Skatteverket

Questions referred

Is it compatible with Article 49 TFEU to refuse a Swedish company a deduction for interest paid to a company which is in the same group of associated enterprises and is resident in a different Member State on the ground that the principal reason for the debt having arisen is deemed to be that the group of associated enterprises is to receive a substantial tax benefit, when such a tax benefit would not have been deemed to exist if both companies had been Swedish, since they would then have been covered by the provisions on intra-group transfers?

Request for a preliminary ruling from the Korkein oikeus (Finland) lodged on 25 June 2019 — Syyttäjä and Tulli

(Case C-486/19)

(2019/C 295/12)

Language of the case: Finnish

Referring court

Korkein oikeus

Parties to the main proceedings

Appellants: A, B

Respondents: Syyttäjä and Tulli

Questions referred

1. Is EU law to be interpreted as precluding a natural person acting on behalf of a company subject to tax who has failed to fulfil the obligations linked to the excise duty levied on ice-cream products from being sentenced to a criminal penalty for those failures if a tax exemption for activities of other undertakings relating to similar products were to be regarded as aid within the meaning of Article 107(1) TFEU?
2. If the first question is answered in the affirmative, did a national tax system for excise duties on ice-cream products such as that in force in the period during which the offence was committed meet the criterion of selectivity as a characteristic of the concept of State aid within the meaning of Article 107(1) TFEU?

Request for a preliminary ruling from the Oberster Gerichtshof (Austria) lodged on 1 July 2019 — Puls 4 TV GmbH & Co. KG v YouTube LLC and Google Austria GmbH

(Case C-500/19)

(2019/C 295/13)

Language of the case: German

Referring court

Oberster Gerichtshof

Parties to the main proceedings

Appellant on a point of law: Puls 4 TV GmbH & Co. KG

Respondents in the appeal on a point of law: YouTube LLC, Google Austria GmbH

Questions referred

1. Is Article 14(1) of Directive 2000/31/EC ⁽¹⁾ to be interpreted as meaning that the operator of an online video platform, as a host service provider, plays an active role, leading to a loss of the liability privilege, as a result of providing or offering to the user the following accompanying activities in addition to the provision of storage space for third-party content:
 - suggesting videos according to subject areas;
 - facilitating visitors to search by title or content information by means of an electronic directory of content, with the user being able to specify the title or content information;
 - providing online tips in relation to the use of the service ('Help');
 - with the user's consent, linking the videos uploaded by the user with advertisements (but not any self-promotion by the platform operator) according to the selection of the target group by the user?
2. Is a national legal position whereby the cease-and-desist obligation of a host service provider (intermediary service provider) in an active role as accessory in respect of infringements by its users exists only on the condition that the accessory has knowingly encouraged the user's infringement consistent with the first sentence of Article 11 of Directive 2004/48/EC, ⁽²⁾ or is this provision to be interpreted as meaning that the Member States must not make claims for a prohibitory injunction made by right-holders against accessories dependent on knowing encouragement of the user's infringement?
3. Are the provisions in Articles 12 to 14 of Directive 2000/31/EC on the liability of intermediary service providers to be considered to be horizontal limitations of liability that benefit any intermediary service provider in a neutral role, even where its activity is to be qualified under copyright law as communication to the public that it has committed itself?
4. Are Article 14(3) (and also Article 12(3) and Article 13(2)) of Directive 2000/31/EC, Article 8(3) of Directive 2001/29/EC ⁽³⁾ and the third sentence of Article 11 of Directive 2004/48/EC to be interpreted as meaning that the liability privilege in accordance with Article 14(1) of Directive 2000/31/EC is available to a host service provider (intermediary service provider) in a neutral role even in the event of a claim for a prohibitory injunction being brought against it and that therefore even an injunction order by the courts with respect to such an intermediary service provider is admissible only if that intermediary service provider has actual knowledge of the illegal activity or information, or is such an injunction order by the courts admissible only if the host service provider does not expeditiously remove or disable the content objected to as infringing after a specific warning and confirms the infringement in judicial proceedings?

⁽¹⁾ Directive 2000/31/EC of the European Parliament and of the Council of 8 June 2000 on certain legal aspects of information society services, in particular electronic commerce, in the Internal Market ('Directive on electronic commerce') (OJ 2000 L 178, p. 1).

⁽²⁾ Directive 2004/48/EC of the European Parliament and of the Council of 29 April 2004 on the enforcement of intellectual property rights (OJ 2004 L 157, p. 45).

⁽³⁾ Directive of the European Parliament and of the Council of 22 May 2001 on the harmonisation of certain aspects of copyright and related rights in the information society (OJ 2001 L 167, p. 10).

Request for a preliminary ruling from the Conseil d'État (France) lodged on 8 July 2019 — Union des industries de la protection des plantes v Premier ministre, Ministre de la transition écologique et solidaire, Ministre des Solidarités et de la Santé, Ministre de l'Agriculture et de l'Alimentation, Agence nationale de sécurité sanitaire de l'alimentation, de l'environnement et du travail

(Case C-514/19)

(2019/C 295/14)

Language of the case: French

Referring court

Conseil d'État

Parties to the main proceedings

Applicant: Union des industries de la protection des plantes

Defendants: Premier ministre, Ministre de la transition écologique et solidaire, Ministre des Solidarités et de la Santé, Ministre de l'Agriculture et de l'Alimentation, Agence nationale de sécurité sanitaire de l'alimentation, de l'environnement et du travail

Interveners: Association Générations futures, Union nationale de l'apiculture française (UNAF), Syndicat national de l'apiculture

Questions referred

1. Where a national measure designed to restrict the use of active substances has been formally notified to the Commission on the basis of Article 5 of Directive 2015/1535/EU of 9 September 2015, ⁽¹⁾ together, however, with a presentation of the information which leads the Member State to take the view that the substance is likely to constitute a serious risk to human or animal health or to the environment and that that risk can be adequately controlled, as the legislation currently stands, only by measures taken by the Member State, a presentation sufficiently clear for the Commission not to make the mistake of thinking that that notification has been made on the basis of Regulation No 1107/2009 of 21 October 2009, ⁽²⁾ can the European Commission regard that notification as having been submitted under the procedure laid down in Articles 69 and 71 of that regulation and adopt, as appropriate, additional measures of enquiry satisfying both the requirements of that legislation and the concerns expressed by that Member State?
2. If the answer to that question is in the affirmative, must Implementing Regulations 2018/783, ⁽³⁾ 2018/784 ⁽⁴⁾ and 2018/785 ⁽⁵⁾ of 29 May 2018 prohibiting the use of the substances thiamethoxam, clothianidin and imidacloprid, from 19 December 2018, with the exception of treatments for crops staying within permanent greenhouses during their entire life-cycle, be regarded as measures taken in response to the application made by France on 2 February 2017 for the general prohibition of the use of plant protection products containing one or more substances belonging to the neonicotinoid family and of seeds treated with those products?
3. If the answer to the previous question is in the affirmative, what can a Member State do if it has asked the Commission, pursuant to Article 69 of Regulation No 1107/2009, to take measures to restrict or prohibit the use of plant protection products containing one or more substances of the neonicotinoid family and of seeds treated with those products, and the Commission complies only in part with its request by not restricting the use of all the substances belonging to the neonicotinoid family but by restricting the use of three of them?

⁽¹⁾ Directive (EU) 2015/1535 of the European Parliament and of the Council of 9 September 2015 laying down a procedure for the provision of information in the field of technical regulations and of rules on Information Society services (OJ 2015 L 241, p. 1).

⁽²⁾ Regulation (EC) No 1107/2009 of the European Parliament and of the Council of 21 October 2009 concerning the placing of plant protection products on the market and repealing Council Directives 79/117/EEC and 91/414/EEC (OJ 2009 L 309, p. 1).

⁽³⁾ Commission Implementing Regulation (EU) 2018/783 of 29 May 2018 amending Implementing Regulation (EU) No 540/2011 as regards the conditions of approval of the active substance imidacloprid (OJ 2018 L 132, p. 31).

⁽⁴⁾ Commission Implementing Regulation (EU) 2018/784 of 29 May 2018 amending Implementing Regulation (EU) No 540/2011 as regards the conditions of approval of the active substance clothianidin (OJ 2018 L 132, p. 35).

⁽⁵⁾ Commission Implementing Regulation (EU) 2018/785 of 29 May 2018 amending Implementing Regulation (EU) No 540/2011 as regards the conditions of approval of the active substance thiamethoxam (OJ 2018 L 132, p. 40).

**Request for a preliminary ruling from the Conseil d'État (France) lodged on 8 July 2019 — Eutelsat SA v
Autorité de régulation des communications électroniques et des postes, Inmarsat Ventures Ltd**

(Case C-515/19)

(2019/C 295/15)

Language of the case: French

Referring court

Conseil d'État

Parties to the main proceedings

Applicant: Eutelsat SA

Defendants: Autorité de régulation des communications électroniques et des postes, Inmarsat Ventures Ltd

Interveners: Viasat Inc. and Viasat UK Ltd

Questions referred

1. What legal criteria are to be used in identifying a mobile earth station within the meaning of Decision No 626/2008/EC of the European Parliament and of the Council of 30 June 2008? ⁽¹⁾ Is that decision to be read as requiring that a mobile earth station which communicates with a complementary ground component must also be capable, without the use of separate equipment, of communicating with a satellite? If so, how is it to be determined whether the equipment is one and the same?
2. Is Article 2(2) of that decision to be interpreted as meaning that a mobile satellite system must be principally based on a satellite element, or can the view be taken, on a correct interpretation of that provision, that it is immaterial what the respective roles of the satellite and ground elements may be, even where the satellite element serves a purpose only where communication with the ground element is impossible? Can complementary ground components covering the entire territory of the European Union be installed on the basis that communications with the space stations cannot be ensured with the required quality in any respect, within the meaning of Article 2(2)(b) of the same decision?
3. In a case where it is shown that an operator selected in accordance with Title II of that decision has not, by the deadline laid down in Article 4(1)(c)(ii), complied with the commitments as to geographical coverage of mobile satellite systems set out in Article 7(2), are the competent authorities of the Member State required to refuse authorisation to operate complementary ground components? If not, are they entitled to refuse such authorisation?

⁽¹⁾ Decision No 626/2008/EC of the European Parliament and of the Council of 30 June 2008 on the selection and authorisation of systems providing mobile satellite services (MSS) (OJ 2008 L 172, p. 15).

Action brought on 12 July 2019 — European Commission v Republic of Austria**(Case C-537/19)**

(2019/C 295/16)

*Language of the case: German***Parties**

Applicant: European Commission (represented by: L. Haasbeek, M. Noll-Ehlers and P. Ondrůšek, acting as Agents)

Defendant: Republic of Austria

Form of order sought

The applicant claims that the Court should:

- declare that, in so far as Stadt Wien-Wiener Wohnen directly awarded the contract of 25 February 2012 in respect of the office building on Guglstrasse 2-4 in Vienna without any competitive tendering procedure and corresponding contract notice, the Republic of Austria has failed to fulfil its obligations under Articles 2, 28 and 35(2) of Directive 2004/18/EC; ⁽¹⁾
- order the Republic of Austria to pay the costs of the proceedings.

Pleas in law and main arguments

The Commission claims that in 2012 the City of Vienna, as a public contracting authority, concluded with a private contractor a long-term lease in respect of an office building before it was constructed. The City of Vienna thereby exercised decisive influence over the planning of the works which far exceeds the usual requirements of a lessee in relation to newly constructed premises.

That lease constitutes a public works contract, as is clear from the relevant case-law of the Court of Justice on the leasing of unfinished building projects by contracting authorities. Since there was no competitive tendering procedure, the award infringes Articles 2, 28 and 35(2) of Directive 2004/18. That infringement persists so long as the lease, which cannot properly be terminated before 2040, continues to exist.

⁽¹⁾ Directive of the European Parliament and of the Council of 31 March 2004 on the coordination of procedures for the award of public works contracts, public supply contracts and public service contracts (OJ 2004 L 134, p. 114).

GENERAL COURT

Judgment of the General Court of 11 July 2019 — Italmobiliare and Others v Commission

(Case T-523/15) ⁽¹⁾

(Competition — Agreements, decisions and concerted practices — Retail food packaging market — Decision finding an infringement of Article 101 TFEU — Attributability of the unlawful conduct — Conditions for the granting of immunity — 2006 Guidelines on the method of setting fines — Sales value — Ceiling for the fine — Length of the administrative procedure — Reasonable period of time — Ability to pay)

(2019/C 295/17)

Language of the case: Italian

Parties

Applicants: Italmobiliare SpA (Milan, Italy) and the six other applicants whose names are listed in the annex to the judgment (represented initially by M. Siragusa, F. Moretti and A. Bardanzellu, and subsequently by M. Siragusa and F. Moretti, lawyers)

Defendant: European Commission (represented by: P. Rossi, A. Biolan, F. Jimeno Fernández and T. Vecchi, acting as Agents)

Re:

Action under Article 263 TFEU seeking the annulment, in part, of Commission Decision C(2015) 4336 final of 24 June 2015 relating to proceedings under Article 101 TFEU and Article 53 of the EEA Agreement (Case AT.39563 — Retail Food Packaging) or, in the alternative, a reduction in the amount of the fine imposed on the applicants.

Operative part of the judgment

The Court:

1. *Dismisses the action;*
2. *Orders Italmobiliare SpA and the other applicants whose names are listed in the annex to the judgment to pay the costs.*

⁽¹⁾ OJ C 354, 26.10.2015.

Judgment of the General Court of 11 July 2019 — Huhtamäki and Huhtamäki Flexible Packaging Germany v Commission

(Case T-530/15) ⁽¹⁾

(Competition — Cartels — Retail food packaging market — Decision finding an infringement of Article 101 TFEU and of Article 53 of the EEA Agreement — Evidence of involvement in the cartel — Single and continuous infringement — Attributability of unlawful conduct — 2006 Guidelines for calculating the amount of fines — Proportionality — Equal treatment)

(2019/C 295/18)

Language of the case: French

Parties

Applicants: Huhtamäki Oyj (Espoo, Finland) and Huhtamäki Flexible Packaging Germany GmbH & Co. KG (Ronsberg, Germany) (represented by: H. Meyer-Lindemann, C. Graf York von Wartenburg and L. Stammwitz, lawyers)

Defendant: European Commission (represented by: A. Biolan, F. Jimeno Fernández and L. Wildpanner, acting as Agents)

Re:

Application under Article 263 TFEU for, principally, the partial annulment of Commission Decision C(2015) 4336 final of 24 June 2015 relating to a proceeding under Article 101 TFEU and Article 53 of the EEA Agreement (Case AT.39563 — Retail food packaging) and, in the alternative, for the reduction of the fines imposed on the applicants.

Operative part of the judgment

The Court:

1. *Dismisses the action;*
2. *Orders Huhtamäki Oyj and Huhtamäki Flexible Packaging Germany GmbH & Co KG to pay the costs.*

⁽¹⁾ OJ C 406, 7.12.2015.

Judgment of the General Court of 18 June 2019 — European Food and Others v Commission**(Joined Cases T-624/15, T-694/15 and T-704/15) ⁽¹⁾**

(State aid — Award made by an arbitral tribunal established under the auspices of the International Centre for Settlement of Investment Disputes (ICSID) — Payment of compensation granted to certain economic operators — Decision declaring the aid incompatible with the internal market and ordering its recovery — Competence of the Commission)

(2019/C 295/19)

Language of the case: English

Parties

Applicants in Case T-624/15: European Food SA (Drăgănești, Romania), Starmill SRL (Drăgănești), Multipack SRL (Drăgănești) and Scandic Distilleries SA (Oradea, Romania) (represented by: K. Struckmann, G. Forwood, lawyers, and A. Kadri, Solicitor)

Applicant in Case T-694/15: Ioan Micula (Oradea, Romania), (represented by: K. Struckmann, G. Forwood, lawyers, and A. Kadri, Solicitor)

Applicants in Case T-704/15: Viorel Micula (Oradea), European Drinks SA (Ștei, Romania), Rieni Drinks SA (Rieni, Romania), Transilvania General Import-Export SRL (Oradea) and West Leasing International SRL (Pântășești, Romania) (represented: initially by J. Derenne, D. Vallindas, lawyers, A. Dashwood, Barrister, and V. Korom, Solicitor, and subsequently by J. Derenne, D. Vallindas and A. Dashwood)

Defendant: European Commission (represented by: P.-J. Loewenthal and T. Maxian Rusche, acting as Agents)

Interveners in support of the defendant: Kingdom of Spain (represented by: S. Centeno Huerta and A. Rubio González, acting as Agents) and Hungary (represented: initially by M. Fehér, G. Koós and M. Bóra, and subsequently by M. Fehér and G. Koós, acting as Agents)

Re:

Three applications under Article 263 TFEU for annulment of Commission Decision (EU) 2015/1470 of 30 March 2015 on State aid SA.38517 (2014/C) (ex 2014/NN) implemented by Romania — Arbitral award Micula v Romania of 11 December 2013 (OJ 2015 L 232, p. 43).

Operative part of the judgment

The Court:

1. Joins Cases T-624/15, T-694/15 and T-704/15 for the purposes of the judgment;
2. Annuls Commission Decision (EU) 2015/1470 of 30 March 2015 on State aid SA.38517 (2014/C) (ex 2014/NN) implemented by Romania — Arbitral award Micula v Romania of 11 December 2013;
3. Orders the European Commission to bear its own costs and to pay those incurred by European Food SA, Starmill SRL, Multipack SRL, Scandic Distilleries SA, Mr Ioan Micula and Mr Viorel Micula, European Drinks SA, Rieni Drinks SA, Transilvania General Import-Export SRL and West Leasing International SRL;
4. Orders the Kingdom of Spain and Hungary to bear their own costs.

⁽¹⁾ OJ C 16, 18.1.2016.

Judgment of the General Court of 11 July 2019 — Yanukovych v Council**(Joined Cases T-245/16 and T-286/17) ⁽¹⁾**

(Common foreign and security policy — Restrictive measures taken in view of the situation in Ukraine — Freezing of funds — List of persons, entities and bodies subject to the freezing of funds and economic resources — Maintenance of the applicant's name on the list — Council's obligation to verify that the decision of an authority of a third State was taken in accordance with the rights of the defence and the right to effective judicial protection)

(2019/C 295/20)

Language of the case: English

Parties

Applicant: Oleksandr Viktorovych Yanukovych (Donetsk, Ukraine) (represented by: T. Beazley QC, E. Dean and J. Marjason-Stamp, Barristers)

Defendant: Council of the European Union (represented by: P. Mahnič and J.-P. Hix, acting as Agents)

Re:

Application under Article 263 TFEU seeking the annulment, first, of Council Decision (CFSP) 2016/318 of 4 March 2016 amending Decision 2014/119/CFSP concerning restrictive measures directed against certain persons, entities and bodies in view of the situation in Ukraine (OJ 2016 L 60, p. 76), and Council Implementing Regulation (EU) 2016/311 of 4 March 2016 implementing Regulation (EU) No 208/2014 concerning restrictive measures directed against certain persons, entities and bodies in view of the situation in Ukraine (OJ 2016 L 60, p. 1) and, second, of Council Decision (CFSP) 2017/381 of 3 March 2017 amending Decision 2014/119/CFSP concerning restrictive measures directed against certain persons, entities and bodies in view of the situation in Ukraine (OJ 2017 L 58, p. 34), and Council Implementing Regulation (EU) 2017/374 of 3 March 2017 implementing Regulation (EU) No 208/2014 concerning restrictive measures directed against certain persons, entities and bodies in view of the situation in Ukraine (OJ 2017 L 58, p. 1), in so far as the applicant's name was maintained on the list of persons, entities and bodies subject to those restrictive measures.

Operative part of the judgment

The Court:

1. Annuls Council Decision (CFSP) 2016/318 of 4 March 2016 amending Decision 2014/119/CFSP concerning restrictive measures directed against certain persons, entities and bodies in view of the situation in Ukraine, and Council Implementing Regulation (EU) 2016/311 of 4 March 2016 implementing Regulation (EU) No 208/2014 concerning restrictive measures directed against certain persons, entities and bodies in view of the situation in Ukraine, as well as Council Decision (CFSP) 2017/381 of 3 March 2017 amending Decision 2014/119/CFSP concerning restrictive measures directed against certain persons, entities and bodies in view of the situation in Ukraine, and Council Implementing Regulation (EU) 2017/374 of 3 March 2017 implementing Regulation (EU) No 208/2014 concerning restrictive measures directed against certain persons, entities and bodies in view of the situation in Ukraine, in so far as the name of Mr Oleksandr Viktorovych Yanukovych was maintained on the list of persons, entities and bodies subject to those restrictive measures;
2. Orders the Council of the European Union to bear its own costs and to pay those incurred by Mr Yanukovych.

⁽¹⁾ OJ C 243, 4.7.2016.

Judgment of the General Court of 3 July 2019 — PT v EIB**(Case T-573/16) ⁽¹⁾**

(Civil Service — EIB staff — Organisation of services — Time dispensation — Access to e-mail and IT connections — Pre-litigation procedure — Admissibility — Legal certainty — Right to be heard — Presumption of innocence — OLAF Final Report — Obligation to state reasons — Liability — Material damage — Non-material damage)

(2019/C 295/21)

*Language of the case: Swedish***Parties***Applicant:* PT (represented by: E. Nordh, lawyer)*Defendant:* European Investment Bank (represented initially by G. Nuvoli, E. Raimond, T. Gilliams and G. Faedo, and subsequently by G. Faedo and M. Loizou, acting as Agents, and by M. Johansson, B. Wägenbaur, lawyers and J. Currall, Barrister)**Re:**

Action under Article 270 TFEU and Article 50a of the Statute of the Court of Justice of the European Union seeking, first, the annulment of the decisions of the EIB of 13 April, 12 May, 16 June and 20 October 2015, 6 June 2016 and 7 February 2017 on the applicant's time dispensation, the decision of the EIB of 18 June 2015 to block the applicant's access to his e-mail and to the EIB's IT connections and the decisions of the EIB not to communicate his remuneration slips to him and to delete his name from the organisation chart published on the EIB's intranet and, secondly, compensation for the damage allegedly suffered by the applicant.

Operative part of the judgment

The Court:

1. *Annuls the decisions of the European Investment Bank (EIB) of 13 April, 12 May, 16 June and 20 October 2015, 6 June 2016 and 7 February 2017, on the PT's time dispensation, and the EIB's decision of 18 June 2015 to block PT's access to his e-mail and to the EIB's IT connections;*
2. *Orders the EIB to pay PT, in respect of the non-material damage suffered, an amount of EUR 25 000 plus default interest, from the date of delivery of this judgment, at the rate set by the European Central Bank (ECB) for its principal refinancing operations, plus 3.5 points.*
3. *Dismisses the action as to the remainder.*
4. *Orders the EIB to pay the costs.*

⁽¹⁾ OJ C 383, 17.10.2016 (case initially registered before the European Union Civil Service Tribunal under Case F-150/15 and transferred to the General Court of the European Union on 1.9.2016).

Judgment of the General Court of 28 June 2019 — Changmao Biochemical Engineering v Commission(Case T-741/16) ⁽¹⁾

(Dumping — Imports of aspartame originating in China — Refusal to grant market economy treatment — Imposition of a definitive anti-dumping duty — Article 2(7)(b) and (c), second indent, of Regulation (EU) 2016/1036 — Article 2(7)(a) of Regulation 2016/1036 — Article 2(10) of Regulation 2016/1036 — Article 3(2) and (6) of Regulation 2016/1036 — Article 6(7) of Regulation 2016/1036 — Non-conformity of accounting documents — Non-compliance with international accounting standards — Recourse to EU industry data — Request for adjustment — Burden of proof — Right to a fair hearing — Principle of sound administration — Legitimate expectations)

(2019/C 295/22)

Language of the case: English

Parties

Applicant: Changmao Biochemical Engineering Co. Ltd (Changzhou, China) (represented by: R. Antonini, E. Monard and B. Maniatis, lawyers)

Defendant: European Commission (represented by: J. F. Brakeland, T. Maxian Rusche and N. Kuplewatzky, acting as Agents)

Intervener in support of the defendant: Hyet Sweet (Gravelines, France) (represented by: T. Müller-Ibold, F.-C. Laprévotte and S. Branca, lawyers)

Re:

Application under Article 263 TFEU for the annulment of Commission Implementing Regulation (EU) No 2016/1247 of 28 July 2016 imposing a definitive anti-dumping duty and collecting definitively the provisional duty imposed on imports of aspartame originating in the People's Republic of China (OJ 2016 L 204, p. 92).

Operative part of the judgment

The Court:

1. *Dismisses the action;*
2. *Orders Changmao Biochemical Engineering Co. Ltd to pay the costs.*

⁽¹⁾ OJ C 462, 12.12.2016.

Judgment of the General Court of 11 July 2019 — BP v FRA(Case T-838/16) ⁽¹⁾

(Non-contractual liability — Access to documents — Partial refusal of access — Sufficiently serious breach of a rule of law conferring rights on individuals — Regulations (EC) No 1049/2001 and No 45/2001 — Protection of personal data — Non-material damage — Material damage — Causal link)

(2019/C 295/23)

Language of the case: English

Parties

Applicant: BP (represented by E. Lazar, lawyer)

Defendant: European Union Agency for Fundamental Rights (FRA) (represented initially by C. Manolopoulos and M. O'Flaherty, then by M. O'Flaherty, acting as Agents, and by D. Waelbroeck, A. Duron and I. Antypas, lawyers)

Re:

Action under Article 268 TFEU seeking compensation for the damage which the applicant allegedly suffered.

Operative part of the judgment

The Court:

1. Orders the European Union Agency for Fundamental Rights (FRA) to pay BP the sum of EUR 5 000;
2. Orders that the compensation awarded in paragraph 1 above be increased by default interest, to be calculated from the date of delivery of the present judgment until full payment, at the rate set by the European Central Bank (ECB) for its principal refinancing operations, plus two percentage points;
3. Dismisses the action as to the remainder;
4. Orders FRA and BP each to bear their own costs.

⁽¹⁾ OJ C 38, 6.2.2017.

Judgment of the General Court of 11 July 2019 — BP v FRA

(Case T-888/16) ⁽¹⁾

(Civil service — Members of the contract staff — FRA — Fixed-term contract — Decision not to renew — New decision adopted following an annulment by the General Court — Rights of the defence — Principle of sound administration — Obligation to state reasons — Liability)

(2019/C 295/24)

Language of the case: English

Parties

Applicant: BP (represented by: E. Lazar, lawyer)

Defendant: European Union Agency for Fundamental Rights (represented by: M. O'Flaherty, Agent, and by B. Wägenbaur, lawyer)

Re:

Action under Article 270 TFEU, seeking (i) annulment of the FRA decision of 4 April 2016 not to renew the applicant's contract as a member of the contract staff, adopted as a result of the implementation of the judgment of 3 June 2015, *BP v FRA*, (T-658/13 P, EU:T:2015:356); and (ii) compensation for the damage which the applicant allegedly suffered.

Operative part of the judgment

The Court:

1. *Dismisses the action;*
2. *Orders BP to bear her own costs and pay those incurred by the European Union Fundamental Rights Agency (FRA).*

⁽¹⁾ OJ C 53, 20.2.2017.

Judgment of the General Court of 11 July 2019 — *PlasticsEurope v ECHA*

(Case T-185/17) ⁽¹⁾

(REACH — Establishment of a list of substances identified with a view to their eventual inclusion in Annex XIV to Regulation (EC) No 1907/2006 — Inclusion in that list of Bisphenol A as a substance which is toxic for reproduction — Articles 57 and 59 of Regulation No 1907/2006)

(2019/C 295/25)

Language of the case: English

Parties

Applicant: PlasticsEurope (Brussels, Belgium) (represented by: R. Cana, É. Mullier and F. Mattioli, lawyers)

Defendant: European Chemicals Agency (represented by: M. Heikkilä, W. Broere and N. Herbatschek, acting as Agents)

Interveners in support of the defendant: French Republic (represented initially by: D. Colas, J. Traband and B. Fodda and subsequently by D. Colas, J. Traband and E. de Moustier, acting as Agents), ClientEarth (London, United Kingdom) (represented by: P. Kirch, lawyer)

Re:

Application under Article 263 TFEU for annulment of ECHA's decision of 4 January 2017 (ED/01/2017) by which Bisphenol A was included in the list of substances identified for eventual inclusion in Annex XIV to Regulation (EC) No 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH), establishing a European Chemicals Agency, amending Directive 1999/45/EC and repealing Council Regulation (EEC) No 793/93 and Commission Regulation (EC) No 1488/94 as well as Council Directive 76/769/EEC and Commission Directives 91/155/EEC, 93/67/EEC, 93/105/EC and 2000/21/EC (OJ 2006 L 396, p. 1, corrigendum OJ 2007 L 136, p. 3), as referred to in Article 59(1) of that regulation, on the ground that that substance had been identified as toxic for reproduction within the meaning of Article 57(c) of Regulation No 1907/2006.

Operative part of the judgment

The Court:

1. *Dismisses the action;*
2. *Orders PlasticsEurope to bear its own costs and to pay the costs incurred by the European Chemicals Agency (ECHA) and ClientEarth;*
3. *Orders the French Republic to bear its own costs.*

⁽¹⁾ OJ C 161, 22.5.2017.

Judgment of the General Court of 26 June 2019 — Portugal v Commission(Case T-474/17) ⁽¹⁾

(EAGF and EAFRD — Expenditure excluded from financing — Expenditure incurred by Portugal — Late payments — Overshooting of ceilings — Article 11 of Regulation (EC) No 885/2006 — Double financial correction — Proportionality — Payment deadlines)

(2019/C 295/26)

Language of the case: Portuguese

Parties

Applicant: Portuguese Republic (represented by L. Inez Fernandes, M. Figueiredo, J. Saraiva de Almeida and P. Estêvão, acting as Agents)

Defendant: European Commission (represented by B. Rechena and A. Sauka, acting as Agents)

Re:

Application under Article 263 TFEU seeking annulment of Commission Implementing Decision (EU) 2017/1144 of 26 June 2017 excluding from European Union financing certain expenditure incurred by the Member States under the European Agricultural Guarantee Fund (EAGF) and under the European Agricultural Fund for Rural Development (EAFRD) (OJ 2017 L 165, p. 37), in so far as it excludes from European Union financing, for the 2011 financial year, expenditure declared by the Portuguese Republic for late payments and the overshooting of ceilings.

Operative part of the judgment

The Court:

1. *Dismisses the action;*
2. *Orders the Portuguese Republic to pay the costs.*

⁽¹⁾ OJ C 357, 23.10.2017.

Judgment of the General Court of 20 June 2019 — a&o hostel and hotel Berlin v Commission(Case T-578/17) ⁽¹⁾

(State aid — Operating aid — Youth hostel in Berlin — Rent-free use of a publicly owned property — Decision declaring the potential aid compatible with the internal market — Article 107(3)(c) TFEU — Serious difficulties)

(2019/C 295/27)

Language of the case: German

Parties

Applicant: a&o hostel and hotel Berlin GmbH, successor in title to A & O Hotel and Hostel Friedrichshain GmbH (Berlin, Germany) (represented by: S. Heise and M. Lindner, lawyers)

Defendant: European Commission (represented by: K. Blanck, A Bouchagiar and T. Maxian Rusche, acting as Agents)

Intervener in support of the defendant: Federal Republic of Germany (represented initially by T. Henze and R. Kanitz, acting as Agents, and subsequently by R. Kanitz, acting as Agent, and K. Dingemann, lawyer)

Re:

Application under Article 263 TFEU seeking the annulment of Commission Decision C(2017) 3220 final of 29 May 2017 on State aid SA.43145 (2016/FC) — Germany, concerning the allegedly unlawful non-fiscal State aid granted to Jugendherberge Berlin Ostkreuz gGmbH, a summary of which was published in the *Official Journal of the European Union* (OJ 2017 C 193, p. 1).

Operative part of the judgment

The Court:

1. *Annuls Commission Decision C(2017) 3220 final of 29 May 2017 on State aid SA.43145 (2016/FC) — Germany, concerning the allegedly unlawful non-fiscal State aid granted to Jugendherberge Berlin Ostkreuz gGmbH;*
2. *Orders the European Commission to bear its own costs and to pay those incurred by a&o hostel and hotel Berlin GmbH;*
3. *Orders the Federal Republic of Germany to bear its own costs.*

(¹) OJ C 338, 9.10.2017.

Judgment of the General Court of 4 July 2019 — Italy v Commission

(Case T-598/17) (¹)

(EAGF and EAFRD — Expenditure excluded from financing — Expenditure made by Italy — Delays and negligence attributable to bodies of the Member State — Burden placed on the Member State of the financial consequences of the lack of recovery — Financial corrections — Articles 31 and 32 of Regulation (EC) No 1290/2005 — Article 12 of Delegated Regulation (EU) No 907/2014 — Reasonable time)

(2019/C 295/28)

Language of the case: French

Parties

Applicant: Italian Republic (represented by: G Palmieri, acting as Agent, and initially by: P. Pucciariello, subsequently by: F. Varrone, avvocati dello Stato)

Defendant: European Commission (represented by: D. Triantafyllou and D. Bianchi, acting as Agents)

Re:

Application on the basis of Article 263 TFEU seeking the annulment in part of Commission Implementing Decision (EU) 2017/1144 of 26 June 2017 excluding from European Union financing certain expenditure incurred by the Member States under the European Agricultural Guarantee Fund (EAGF) and under the European Agricultural Fund for Rural Development (EAFRD) (OJ 2017 L 165, p. 37), in so far as it concerns the Italian Republic.

Operative part of the judgment

The Court:

1. *Dismisses the action;*
2. *Orders the Italian Republic to pay the costs.*

(¹) OJ C 357, 23.10.2017.

Judgment of the General Court of 3 July 2019 — Spain v Commission

(Case T-602/17) (¹)

(EAGF and EAFRD — Expenditure excluded from financing — Expenditure made by Spain — Key checks — Criteria for recognition of producers' bodies — Approval of operational programmes — Transfer of investments within the same operation programme — Legitimate expectations)

(2019/C 295/29)

Language of the case: French

Parties

Applicant: Kingdom of Spain (represented initially by: M. Sampol Pucurull and A. Gavela Llopis, then by: A. Gavela Llopis and finally by: S. Jiménez García, acting as Agents)

Defendant: European Commission (represented by: F. Castillo de la Torre, W. Farrell and M. Morales Puerta, acting as Agents)

Re:

Application on the basis of Article 263 TFEU seeking the annulment in part of Commission Implementing Decision (EU) 2017/1144 of 26 June 2017 excluding from European Union financing certain expenditure incurred by the Member States under the European Agricultural Guarantee Fund (EAGF) and under the European Agricultural Fund for Rural Development (EAFRD) (OJ 2017 L 165, p. 37), in so far as it excludes, as regards the Kingdom of Spain, the sum of EUR 7 097 397,27 from that financing.

Operative part of the judgment

The Court:

1. *Dismisses the action;*
2. *Orders the Kingdom of Spain to pay the costs.*

(¹) OJ C 357, 23.10.2017.

Judgment of the General Court of 26 June 2019 — Vialto Consulting v Commission(Case T-617/17) ⁽¹⁾

(Non-contractual liability — Instrument for pre-accession assistance — Third country — National public procurement — Devolved management — Decision of a national authority — Investigations by OLAF — Nonmaterial damage — Sufficiently serious breach of a rule of law conferring rights on individuals — Article 7(1) of Regulation (EC) No 2185/96 — Principle of sound administration — Legitimate expectations — Proportionality — Right to be heard)

(2019/C 295/30)

Language of the case: Greek

Parties

Applicant: Vialto Consulting Kft. (Budapest, Hungary) (represented by: V. Christianos and S. Paliou, lawyers)

Defendant: European Commission (represented by: D. Triantafyllou, J. Baquero Cruz and J. Estrada de Solà, acting as Agents)

Re:

Application based on Article 268 TFEU seeking compensation for the damage allegedly suffered by the applicant due to unlawful acts allegedly committed, first, by the European Anti-Fraud Office (OLAF) in the course of an inspection carried out in the applicant's premises and, second, by the European Commission following that inspection.

Operative part of the judgment

The Court:

1. *Dismisses the action;*
2. *Orders Vialto Consulting Kft. to pay the costs.*

⁽¹⁾ OJ C 402, 27.11.2017.

Judgment of the General Court of 18 June 2019 — Quadri di Cardano v Commission(Case T-828/17) ⁽¹⁾

(Civil service — Members of the contract staff — Expatriation allowance — Article 4(1)(b) of Annex VII to the Staff Regulations — Recovery of overpayment — Article 85, first paragraph of the Staff Regulations — Patent irregularity)

(2019/C 295/31)

Language of the case: French

Parties

Applicant: Alessandro Quadri di Cardano (Alicante, Spain) (represented initially by N. de Montigny and J.-N. Louis, then by N. de Montigny, lawyers)

Defendant: European Commission (represented by T. Bohr and L. Radu Bouyon, acting as Agents)

Re:

Action under Article 270 TFEU seeking annulment of the decision of the European Commission's Office for the Administration and Payment of Individual Entitlements (PMO) of 28 February 2017 on the recovery of sums unduly paid to the applicant in respect of the expatriation allowance and annual travel expenses for the period of activity at the Executive Agency for Small and Medium-sized Enterprises (EASME), from 16 May 2014 to 15 July 2016, and, so far as necessary, of the salary slips 'corrected' further to that decision.

Operative part of the judgment

The Court:

1. *Dismisses the action;*
2. *Orders Mr Alessandro Quadri di Cardano to pay the costs.*

⁽¹⁾ OJ C 63, 19.2.2018.

Judgment of the General Court of 28 June 2019 — Alfamicro v Commission

(Case T-64/18) ⁽¹⁾

(Competitiveness and Innovation Framework Programme — Seventh framework programme for research, technological development and demonstration activities (2007-2013) — Enforcement decision — Recovery of a debt arising out of a grant agreement — Article 299 TFEU — Regulation (EU, Euratom) no 966/2012 — Article 135 of Regulation No 966/2012 — Extrapolation of the audit findings — Obligation to state reasons)

(2019/C 295/32)

Language of the case: French

Parties

Applicant: Alfamicro — Sistemas de computadores, Sociedade Unipessoal, Lda. (Cascais, Portugal) (represented by: G. Gentil Anastácio and D. Pirra Xarepe, lawyers)

Defendant: European Commission (represented by: P. Costa de Oliveira and J. Estrada de Solà, acting as Agents)

Re:

Application on the basis of Article 263 TFEU seeking the annulment of Commission Decision C(2017) 8839 final of 13 December 2017 concerning the recovery of a debt from the applicant.

Operative part of the judgment

The Court:

1. *Dismisses the action;*
2. *Orders Alfamicro — Sistemas de computadores, Sociedade Unipessoal, Lda to pay the costs.*

⁽¹⁾ OJ C 142, 23.4.2018.

Judgment of the General Court of 27 June 2019 — Szegedi v Parliament

(Case T-135/18) ⁽¹⁾

(Law governing the institutions — Rules governing the payment of expenses and allowances to Members of the European Parliament — Travel expenses — Parliamentary assistance expenses — Recovery of sums unduly paid — Rights of defence — Disclosure of evidence — Obligation to state reasons — Error of fact — Proportionality)

(2019/C 295/33)

Language of the case: Hungarian

Parties

Applicant: Csanád Szegedi (Budapest, Hungary) (represented by: K. Bodó, lawyer)

Defendant: European Parliament (represented by: N. Görlitz, S. Seyr and B. Simon, acting as Agents)

Re:

Application based on Article 263 TFEU seeking annulment of the decision of the Secretary-General of the Parliament of 30 November 2017 relating to the recovery from the applicant of the sum of EUR 264 196,11 unduly paid in respect of travel expenses and parliamentary assistance expenses and the related debit note of 19 December 2017.

Operative part of the judgment

The Court:

1. *Annuls the decision of the Secretary-General of the Parliament of 30 November 2017 relating to the recovery from Mr Csanád Szegedi of the sum of EUR 264 196,11 and the related debit note of 19 December 2017 in so far as they relate to sums paid in respect of travel expenses in the sum of EUR 8 273,83;*
2. *Dismisses the action as to the remainder;*
3. *Orders Mr Szegedi and the European Parliament each to bear their own costs.*

⁽¹⁾ OJ C 182, 28.5.2018.

Judgment of the General Court of 9 July 2019 — VY v Commission**(Case T-253/18) ⁽¹⁾****(Civil service — Officials — Middle management post — Rejection of application — Vacancy notice — Selection procedure — Obligation to state reasons — Equality between men and women)**

(2019/C 295/34)

*Language of the case: French***Parties***Applicant:* VY (represented by: J.-N. Louis, lawyer)*Defendant:* European Commission (represented by: G. Berscheid and L. Vernier, acting as Agents)**Re:**

Application on the basis of Article 270 TFEU seeking the annulment of the decision rejecting the applicant's application and the decision appointing another candidate to the post of Head of Unit within a European Union delegation.

Operative part of the judgment

The Court:

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

⁽¹⁾ OJ C 240, 9.7.2018.

Judgment of the General Court of 11 July 2019 — Arbuzov v Council**(Case T-284/18) ⁽¹⁾****(Common foreign and security policy — Restrictive measures taken in view of the situation in Ukraine — Freezing of funds — List of persons, entities and bodies subject to the freezing of funds and economic resources — Maintenance of the applicant's name on the list — Council's obligation to verify that the decision of an authority of a third State was taken in accordance with the rights of the defence and the right to effective judicial protection)**

(2019/C 295/35)

*Language of the case: Czech***Parties***Applicant:* Sergej Arbuzov (Kiev, Ukraine) (represented by: M. Mleziva, lawyer)

Defendant: Council of the European Union (represented by: R. Pekař and P. Mahnič, Agents)

Re:

Action under Article 263 TFEU seeking annulment of Council Decision (CFSP) 2018/333 of 5 March 2018 amending Decision 2014/119/CFSP concerning restrictive measures directed against certain persons, entities and bodies in view of the situation in Ukraine (OJ 2018 L 63, p. 48) and of Council Implementing Regulation (EU) 2018/326 of 5 March 2018 implementing Regulation (EU) No 208/2014 concerning restrictive measures directed against certain persons, entities and bodies in view of the situation in Ukraine (OJ 2018 L 63, p. 5), in so far as the applicant's name was maintained on the list of persons, entities and bodies subject to those restrictive measures.

Operative part of the judgment

The Court:

1. *Annuls Council Decision (CFSP) 2018/333 of 5 March 2018 amending Decision 2014/119/CFSP concerning restrictive measures directed against certain persons, entities and bodies in view of the situation in Ukraine and Council Implementing Regulation (EU) 2018/326 of 5 March 2018 implementing Regulation (EU) No 208/2014 concerning restrictive measures directed against certain persons, entities and bodies in view of the situation in Ukraine, in so far as Mr Sergej Arbuzov's name was maintained on the list of persons, entities and bodies subject to those restrictive measures;*
2. *Orders the Council of the European Union to pay the costs.*

(¹) OJ C 249, 16.7.2018.

Judgment of the General Court of 11 July 2019 — Klyuyev v Council

(Case T-305/18) (¹)

(Common foreign and security policy — Restrictive measures taken in view of the situation in Ukraine — Freezing of funds — List of persons, entities and bodies subject to the freezing of funds and economic resources — Maintenance of the applicant's name on the list — Council's obligation to verify that the decision of an authority of a third State was taken in accordance with the rights of the defence and the right to effective judicial protection)

(2019/C 295/36)

Language of the case: English

Parties

Applicant: Andriy Klyuyev (Donetsk, Ukraine) (represented by: B. Kennelly QC, J. Pobjoy, Barrister, R. Gherson and T. Garner, Solicitors)

Defendant: Council of the European Union (represented by: P. Mahnič and A. Vitro, acting as Agents)

Re:

Application under Article 263 TFEU seeking the annulment of Council Decision (CFSP) 2018/333 of 5 March 2018 amending Decision 2014/119/CFSP concerning restrictive measures directed against certain persons, entities and bodies in view of the situation in Ukraine (OJ 2018 L 63, p. 48) and of Council Implementing Regulation (EU) 2018/326 of 5 March 2018 implementing Regulation (EU) No 208/2014 concerning restrictive measures directed against certain persons, entities and bodies in view of the situation in Ukraine (OJ 2018 L 63, p. 5), in so far as the applicant's name was maintained on the list of persons, entities and bodies subject to those restrictive measures.

Operative part of the judgment

The Court:

1. *Annuls Council Decision (CFSP) 2018/333 of 5 March 2018 amending Decision 2014/119/CFSP concerning restrictive measures directed against certain persons, entities and bodies in view of the situation in Ukraine and Council Implementing Regulation (EU) 2018/326 of 5 March 2018 implementing Regulation (EU) No 208/2014 concerning restrictive measures directed against certain persons, entities and bodies in view of the situation in Ukraine, in so far as Mr Andriy Klyuyev's name was maintained on the list of persons, entities and bodies subject to those restrictive measures;*
2. *Orders the Council of the European Union to bear its own costs and to pay those incurred by Mr Klyuyev, including those relating to the proceedings for interim measures.*

(¹) OJ C 240, 9.7.2018.

Judgment of the General Court of 11 July 2019 — Wewi Mobile v EUIPO (Fi Network)

(Case T-601/18) (¹)

(EU trade mark — Application for EU word mark Fi Network — Absolute ground for refusal — Lack of distinctive character — Article 7(1)(b) of Regulation (EU) 2017/1001)

(2019/C 295/37)

Language of the case: Spanish

Parties

Applicant: Wewi Mobile, SL (Villena, Spain) (represented by: J. C. Erdozain López, L. Montoya Terán and J. Galán López, lawyers)

Defendant: European Union Intellectual Property Office (represented by: S. Palmero Cabezas and H. O'Neill, acting as Agents)

Re:

Action brought against the decision of the First Board of Appeal of EUIPO of 12 July 2018 (Case R 1462/2017-1), relating to an application for registration of the word sign Fi Network as an EU trade mark.

Operative part of the judgment

The Court:

1. *Dismisses the action;*
2. *Orders Wewi Mobile, SL to pay the costs.*

⁽¹⁾ OJ C 427, 26.11.2018.

Order of the General Court of 27 June 2019 — Flabeg Deutschland v Commission

(Case T-103/15) ⁽¹⁾

***(State aid — Aid granted by certain provisions of the amended German law on renewable energy sources —
Annulment of the act criticised by the Court — Action which has become devoid of purpose — No need
to adjudicate)***

(2019/C 295/38)

Language of the case: German

Parties

Applicants: Flabeg Deutschland GmbH (Nuremberg, Germany) (represented initially by: M. Küper and E.-M. Schwind, and subsequently by: J. Stein and A. Kersten, lawyers)

Defendant: European Commission (represented initially by: T. Maxian Rusche and R. Sauer, and subsequently by: T. Maxian Rusche and K. Herrmann, acting as Agents, and by H. Wollmann, lawyer)

Re:

Application on the basis of Article 263 TFEU seeking the annulment of Commission Decision (EU) 2015/1585 of 25 November 2014 on the aid scheme SA.33995 (2013/C) (ex 2013/NN) (implemented by Germany for the support of renewable electricity and of energy-intensive users) (OJ 2015 L 250, p. 122).

Operative part of the order

1. *There is no longer any need to adjudicate in the case.*
2. *The European Commission shall bear its own costs and pay the costs incurred by Flabeg Deutschland GmbH.*

⁽¹⁾ OJ C 138, 27.4.2015.

Order of the General Court of 27 June 2019 — Bundesverband Glasindustrie and Others v Commission**(Case T-108/15) ⁽¹⁾**

(State aid — Aid granted by certain provisions of the amended German law on renewable energy sources — Annulment of the act criticised by the Court — Action which has become devoid of purpose — No need to adjudicate)

(2019/C 295/39)

Language of the case: German

Parties

Applicants: Bundesverband Glasindustrie (Düsseldorf, Germany) and the other 11 applicants whose names are annexed to the order (represented by: U. Soltész and C. von Köckritz, lawyers)

Defendant: European Commission (represented initially by: T. Maxian Rusche and R. Sauer, and subsequently by: T. Maxian Rusche and K. Herrmann, acting as Agents, and by H. Wollmann, lawyer)

Re:

Application on the basis of Article 263 TFEU seeking the annulment of Commission Decision (EU) 2015/1585 of 25 November 2014 on the aid scheme SA.33995 (2013/C) (ex 2013/NN) (implemented by Germany for the support of renewable electricity and of energy-intensive users) (OJ 2015 L 250, p. 122).

Operative part of the order

1. *There is no longer any need to adjudicate in the case.*
2. *There is no longer any need to adjudicate on the applications for leave to intervene of ArcelorMittal Hochfeld GmbH, successor in title to ArcelorMittal Ruhrort GmbH, and of P-D Glasseiden GmbH Oschatz.*
3. *The European Commission shall bear its own costs and pay the costs incurred by Bundesverband Glasindustrie and those of the other applicants whose names are listed in the annex.*
4. *ArcelorMittal Hochfeld GmbH, successor in title to ArcelorMittal Ruhrort GmbH, and P-D Glasseiden GmbH Oschatz shall bear their own costs of the applications for leave to intervene.*

⁽¹⁾ OJ C 138, 27.4.2015.

Order of the General Court of 27 June 2019 — Saint-Gobain Isover G+H and Others v Commission(Case T-109/15) ⁽¹⁾

(State aid — Aid granted by certain provisions of the amended German law on renewable energy sources — Annulment of the act criticised by the Court — Action which has become devoid of purpose — No need to adjudicate)

(2019/C 295/40)

*Language of the case: German***Parties**

Applicants: Saint-Gobain Isover G+H AG (Ludwigshafen am Rhein, Germany), Saint-Gobain Glass Deutschland GmbH (Stolberg, Germany), Verallia Deutschland AG, formerly Saint-Gobain Oberland AG (Bad Wurzach, Germany) and Saint-Gobain Sekurit Deutschland GmbH & Co. KG (Herzogenrath, Germany) (represented by: S. Altenschmidt et H. Janssen, lawyers)

Defendant: European Commission (represented initially by: R. Sauer, and subsequently by: T. Maxian Rusche and K. Herrmann, acting as Agents)

Re:

Application on the basis of Article 263 TFEU seeking the annulment of Commission Decision (EU) 2015/1585 of 25 November 2014 on the aid scheme SA.33995 (2013/C) (ex 2013/NN) (implemented by Germany for the support of renewable electricity and of energy-intensive users) (OJ 2015 L 250, p. 122).

Operative part of the order

1. *There is no longer any need to adjudicate in the case.*
2. *The European Commission shall bear its own costs and pay the costs incurred by Saint-Gobain Isover G+H AG, Saint-Gobain Glass Deutschland GmbH, Verallia Deutschland AG, formerly Saint-Gobain Oberland AG, and Saint-Gobain Sekurit Deutschland GmbH & Co. KG.*

⁽¹⁾ OJ C 138, 27.4.2015.

Order of the General Court of 27 June 2019 — ArcelorMittal Hochfeld v Commission(Case T-294/15) ⁽¹⁾

(State aid — Aid granted by certain provisions of the amended German law on renewable energy sources — Annulment of the act criticised by the Court — Action which has become devoid of purpose — No need to adjudicate)

(2019/C 295/41)

*Language of the case: German***Parties**

Applicants: ArcelorMittal Hochfeld GmbH, successor in title to ArcelorMittal Ruhrort GmbH (Duisburg, Germany) (represented by: H. Janssen, et G.-R. Engel, lawyers)

Defendant: European Commission (represented initially by: R. Sauer, and subsequently by: T. Maxian Rusche and K. Herrmann, acting as Agents)

Re:

Application on the basis of Article 263 TFEU seeking the annulment of Commission Decision (EU) 2015/1585 of 25 November 2014 on the aid scheme SA.33995 (2013/C) (ex 2013/NN) (implemented by Germany for the support of renewable electricity and of energy-intensive users) (OJ 2015 L 250, p. 122).

Operative part of the order

1. *There is no longer any need to adjudicate in the case.*
2. *The European Commission shall bear its own costs and pay the costs incurred by ArcelorMittal Hochfeld GmbH, successor in title to ArcelorMittal Ruhrort GmbH.*

⁽¹⁾ OJ C 302, 14.9.2015.

Order of the General Court of 27 June 2019 — Deutsche Edelstahlwerke v Commission

(Case T-319/15) ⁽¹⁾

(State aid — Aid granted by certain provisions of the amended German law on renewable energy sources — Annulment of the act criticised by the Court — Action which has become devoid of purpose — No need to adjudicate)

(2019/C 295/42)

Language of the case: German

Parties

Applicants: Deutsche Edelstahlwerke (Witten, Germany) (represented by: H. Janssenet and S. Altenschmidt, lawyers)

Defendant: European Commission (represented initially by: R. Sauer, and subsequently by: T. Maxian Rusche and K. Herrmann, acting as Agents)

Re:

Application on the basis of Article 263 TFEU seeking the annulment of Commission Decision (EU) 2015/1585 of 25 November 2014 on the aid scheme SA.33995 (2013/C) (ex 2013/NN) (implemented by Germany for the support of renewable electricity and of energy-intensive users) (OJ 2015 L 250, p. 122).

Operative part of the order

1. *There is no longer any need to adjudicate in the case.*
2. *The European Commission shall bear its own costs and pay the costs incurred by Deutsche Edelstahlwerke GmbH.*

⁽¹⁾ OJ C 302, 14.9.2015.

Order of the General Court of 27 June 2019 — VIK v Commission**(Case T-576/15) ⁽¹⁾*****(State aid — Aid granted by certain provisions of the amended German law on renewable energy sources —
Annulment of the act criticised by the Court — Action which has become devoid of purpose — No need
to adjudicate)***

(2019/C 295/43)

*Language of the case: German***Parties***Applicants:* VIK Verband der Industriellen Energie- und Kraftwirtschaft eV (Essen, Germany) (represented by: C. Kahle, lawyers)*Defendant:* European Commission (represented by: T. Maxian Rusche and K. Herrmann, acting as Agents)**Re:**

Application on the basis of Article 263 TFEU seeking the annulment of Commission Decision (EU) 2015/1585 of 25 November 2014 on the aid scheme SA.33995 (2013/C) (ex 2013/NN) (implemented by Germany for the support of renewable electricity and of energy-intensive users) (OJ 2015 L 250, p. 122).

Operative part of the order

1. *There is no longer any need to adjudicate in the case.*
2. *The European Commission shall bear its own costs and pay the costs incurred by VIK Verband der Industriellen Energie- und Kraftwirtschaft eV.*

⁽¹⁾ OJ C 7, 11.1.2016

Order of the General Court of 27 June 2019 — Wirtschaftsvereinigung Stahl and Others v Commission**(Case T-605/15) ⁽¹⁾*****(State aid — Aid granted by certain provisions of the amended German law on renewable energy sources —
Annulment of the act criticised by the Court — Action which has become devoid of purpose — No need
to adjudicate)***

(2019/C 295/44)

*Language of the case: German***Parties**

Applicants: Wirtschaftsvereinigung Stahl (Düsseldorf, Germany) and the other 17 applicants whose names are annexed to the order (represented by: H. Janssen, lawyer)

Defendant: European Commission (represented by: T. Maxian Rusche and K. Herrmann, acting as Agents)

Re:

Application on the basis of Article 263 TFEU seeking the annulment of Commission Decision (EU) 2015/1585 of 25 November 2014 on the aid scheme SA.33995 (2013/C) (ex 2013/NN) (implemented by Germany for the support of renewable electricity and of energy-intensive users) (OJ 2015 L 250, p. 122).

Operative part of the order

1. *There is no longer any need to adjudicate in the case.*
2. *The European Commission shall bear its own costs and pay the costs incurred by Wirtschaftsvereinigung Stahl and the other 17 applicants whose names are annexed to the order.*

⁽¹⁾ OJ C 27, 26.1.2016

Order of the General Court of 27 June 2019 — Hydro Aluminium Rolled Products v Commission

(Case T-737/15) ⁽¹⁾

***(State aid — Aid granted by certain provisions of the amended German law on renewable energy sources —
Annulment of the act criticised by the Court — Action which has become devoid of purpose — No need
to adjudicate)***

(2019/C 295/45)

Language of the case: German

Parties

Applicants: Hydro Aluminium Rolled Products GmbH (Grevenbroich, Germany) (represented by: U. Karpenstein and K. Dingemann, lawyers)

Defendant: European Commission (represented by: T. Maxian Rusche and K. Herrmann, acting as Agents)

Re:

Application on the basis of Article 263 TFEU seeking the annulment of Commission Decision (EU) 2015/1585 of 25 November 2014 on the aid scheme SA.33995 (2013/C) (ex 2013/NN) (implemented by Germany for the support of renewable electricity and of energy-intensive users) (OJ 2015 L 250, p. 122).

Operative part of the order

1. *There is no longer any need to adjudicate in the case.*
2. *The European Commission shall bear its own costs and pay the costs incurred by Hydro Aluminium Rolled Products GmbH.*

⁽¹⁾ OJ C 59, 15.2.2016.

Order of the General Court of 27 June 2019 — Aurubis and Others v Commission

(Case T-738/15) ⁽¹⁾

*(State aid — Aid granted by certain provisions of the amended German law on renewable energy sources —
Annulment of the act criticised by the Court — Action which has become devoid of purpose — No need
to adjudicate)*

(2019/C 295/46)

Language of the case: German

Parties

Applicants: Aurubis AG (Hamburg, Germany) and the other 7 applicants whose names are annexed to the order (represented by: C. Arhold and N. Wimmer, lawyers)

Defendant: European Commission (represented by: T. Maxian Rusche and K. Herrmann, acting as Agents)

Re:

Application on the basis of Article 263 TFEU seeking the annulment of Commission Decision (EU) 2015/1585 of 25 November 2014 on the aid scheme SA.33995 (2013/C) (ex 2013/NN) (implemented by Germany for the support of renewable electricity and of energy-intensive users) (OJ 2015 L 250, p. 122).

Operative part of the order

1. *There is no longer any need to adjudicate in the case.*
2. *The European Commission shall bear its own costs and pay the costs incurred by Aurubis AG and those of the other applicants whose names are listed in the annex.*

⁽¹⁾ OJ C 59, 15.2.2016

Order of the General Court of 27 June 2019 — Vinnolit v Commission**(Case T-743/15) ⁽¹⁾*****(State aid — Aid granted by certain provisions of the amended German law on renewable energy sources —
Annulment of the act criticised by the Court — Action which has become devoid of purpose — No need
to adjudicate)***

(2019/C 295/47)

*Language of the case: German***Parties***Applicants:* Vinnolit GmbH & Co. KG (Ismaning, Germany) (represented by: M. Geipel, lawyer)*Defendant:* European Commission (represented by: T. Maxian Rusche and K. Herrmann, acting as Agents)**Re:**

Application on the basis of Article 263 TFEU seeking the annulment of Commission Decision (EU) 2015/1585 of 25 November 2014 on the aid scheme SA.33995 (2013/C) (ex 2013/NN) (implemented by Germany for the support of renewable electricity and of energy-intensive users) (OJ 2015 L 250, p. 122).

Operative part of the order

1. *There is no longer any need to adjudicate in the case.*
2. *The European Commission shall bear its own costs and pay the costs incurred by Vinnolit GmbH & Co. KG.*

⁽¹⁾ OJ C 59, 15.2.2016.

Order of the General Court of 17 June 2019 — Fugro v Commission**(Case T-317/18) ⁽¹⁾*****(Action for annulment — Galileo satellite navigation programme — Technical and operational specifications —
Lack of individual concern — Manifest inadmissibility)***

(2019/C 295/48)

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

Applicant: Fugro NV (Leidschendam, Netherlands) (represented by: initially, T. Snoep and V. van Weperen and, subsequently, V. van Weperen, H. Gornall and J. de Pree, lawyers)

Defendant: European Commission (represented by: V. Di Bucci, L. Armati and B. Sasinowska, acting as Agents)

Re:

Application under Article 263 TFEU for annulment of Commission Implementing Decision (EU) 2018/321 of 2 March 2018 amending Implementing Decision (EU) 2017/224 setting out the technical and operational specifications allowing the commercial service offered by the system established under the Galileo programme to fulfil the function referred to in Article 2(4)(c) of Regulation (EU) No 1285/2013 of the European Parliament and of the Council (OJ 2018 L 62, p. 34), and, in the alternative, for annulment of Article 1(2) of that decision.

Operative part of the order

1. *The action is dismissed as manifestly inadmissible.*
2. *Fugro NV is ordered to pay the costs.*

⁽¹⁾ OJ C 240, 9.7.2018.

Order of the General Court of 27 June 2019 — CJ v Court of Justice of the European Union

(Case T-1/19) ⁽¹⁾

(Law governing the institutions — Documents available to the public on the internet relating to closed General Court and Civil Service Tribunal cases — Request for anonymity ex post — Failure of the Court of Justice of the European Union to respond to the request — Action for failure to act — Position adopted in the course of the proceedings — Action which has become devoid of purpose — No need to adjudicate)

(2019/C 295/49)

Language of the case: English

Parties

Applicant: CJ (represented by V. Kolias, lawyer)

Defendant: Court of Justice of the European Union (represented by J. Inghelram, Á. Almendros Manzano and V. Hanley-Emilsson, acting as Agents)

Re:

Action under Article 265 TFEU seeking a declaration that the Court of Justice of the European Union unlawfully failed to grant the applicant anonymity, ex post, as regards publicly available documents relating to closed General Court and Civil Service Tribunal cases or, in the alternative, to ensure that versions bearing his name ('nominal versions') are not accessible to internet search engine providers.

Operative part of the order

1. *There is no need to adjudicate on the action.*
2. *The Court of Justice of the European Union shall pay the costs.*

(¹) OJ C 164, 13.5.2019.

Action brought on 28 June 2019 — Lombardo v Parliament

(Case T-411/19)

(2019/C 295/50)

Language of the case: Italian

Parties

Applicant: Raffaele Lombardo (Catania, Italy) (represented by: M. Merola, lawyer)

Defendant: European Parliament

Form of order sought

The applicant claims that the Court should:

- declare non-existent or annul in its entirety the measure of which the applicant was informed by means of the contested communication, in which the European Parliament re-determined retirement pension rights and ordered recovery of the amount paid on the basis of the earlier pension calculation;
- order the European Parliament to refund all the sums unduly withheld, and to pay statutory interest from the date of withholding to the date of payment and order the European Parliament to implement the judgment and undertake all the necessary initiatives, acts or measures to ensure the immediate, full re-establishment of the original pension amount;
- order the European Parliament to pay the costs.

Pleas in law and main arguments

The pleas in law and main arguments are similar to those relied on in Case T-389/19, *Coppo Gavazzi v Parliament*.

Action brought on 28 June 2019 — Contu v Parliament**(Case T-412/19)**

(2019/C 295/51)

*Language of the case: Italian***Parties***Applicant:* Felice Contu (Cagliari, Italy) (represented by: M. Merola, lawyer)*Defendant:* European Parliament**Form of order sought**

The applicant claims that the Court should:

- declare non-existent or annul in its entirety the measure of which the applicant was informed by means of the contested communication, in which the European Parliament re-determined retirement pension rights and ordered recovery of the amount paid on the basis of the earlier pension calculation;
- order the European Parliament to refund all the sums unduly withheld, and to pay statutory interest from the date of withholding to the date of payment and order the European Parliament to implement the judgment and undertake all the necessary initiatives, acts or measures to ensure the immediate, full re-establishment of the original pension amount;
- order the European Parliament to pay the costs.

Pleas in law and main arguments

The pleas in law and main arguments are similar to those relied on in Case T-389/19, *Coppo Gavazzi v Parliament*.

Action brought on 28 June 2019 — Dupuis v Parliament**(Case T-413/19)**

(2019/C 295/52)

*Language of the case: Italian***Parties***Applicant:* Olivier Dupuis (Saint-Gilles, Belgium) (represented by: M. Merola, lawyer)

Defendant: European Parliament

Form of order sought

The applicant claims that the Court should:

- declare non-existent or annul in its entirety the measure of which the applicant was informed by means of the contested communication, in which the European Parliament re-determined retirement pension rights and ordered recovery of the amount paid on the basis of the earlier pension calculation;
- order the European Parliament to refund all the sums unduly withheld, and to pay statutory interest from the date of withholding to the date of payment and order the European Parliament to implement the judgment and undertake all the necessary initiatives, acts or measures to ensure the immediate, full re-establishment of the original pension amount;
- order the European Parliament to pay the costs.

Pleas in law and main arguments

The pleas in law and main arguments are similar to those relied on in Case T-389/19, *Coppo Gavazzi v Parliament*.

Action brought on 28 June 2019 — Frittelli v Parliament

(Case T-414/19)

(2019/C 295/53)

Language of the case: Italian

Parties

Applicant: Leda Frittelli (Frosinone, Italy) (represented by: M. Merola, lawyer)

Defendant: European Parliament

Form of order sought

The applicant claims that the Court should:

- declare non-existent or annul in its entirety the measure of which the applicant was informed by means of the contested communication, in which the European Parliament re-determined retirement pension rights and ordered recovery of the amount paid on the basis of the earlier pension calculation;

- order the European Parliament to refund all the sums unduly withheld, and to pay statutory interest from the date of withholding to the date of payment and order the European Parliament to implement the judgment and undertake all the necessary initiatives, acts or measures to ensure the immediate, full re-establishment of the original pension amount;
- order the European Parliament to pay the costs.

Pleas in law and main arguments

The pleas in law and main arguments are similar to those relied on in Case T-389/19, *Coppo Gavazzi v Parliament*.

Action brought on 28 June 2019 — Laroni v Parliament

(Case T-415/19)

(2019/C 295/54)

Language of the case: Italian

Parties

Applicant: Nereo Laroni (Venice, Italy) (represented by: M. Merola, lawyer)

Defendant: European Parliament

Form of order sought

The applicant claims that the Court should:

- declare non-existent or annul in its entirety the measure of which the applicant was informed by means of the contested communication, in which the European Parliament re-determined retirement pension rights and ordered recovery of the amount paid on the basis of the earlier pension calculation;
- order the European Parliament to refund all the sums unduly withheld, and to pay statutory interest from the date of withholding to the date of payment and order the European Parliament to implement the judgment and undertake all the necessary initiatives, acts or measures to ensure the immediate, full re-establishment of the original pension amount;
- order the European Parliament to pay the costs.

Pleas in law and main arguments

The pleas in law and main arguments are similar to those relied on in Case T-389/19, *Coppo Gavazzi v Parliament*.

Action brought on 28 June 2019 — Filippi v Parliament**(Case T-416/19)**

(2019/C 295/55)

*Language of the case: Italian***Parties***Applicant:* Livio Filippi (Carpi, Italy) (represented by: M. Merola, lawyer)*Defendant:* European Parliament**Form of order sought**

The applicant claims that the Court should:

- declare non-existent or annul in its entirety the measure of which the applicant was informed by means of the contested communication, in which the European Parliament re-determined retirement pension rights and ordered recovery of the amount paid on the basis of the earlier pension calculation;
- order the European Parliament to refund all the sums unduly withheld, and to pay statutory interest from the date of withholding to the date of payment and order the European Parliament to implement the judgment and undertake all the necessary initiatives, acts or measures to ensure the immediate, full re-establishment of the original pension amount;
- order the European Parliament to pay the costs.

Pleas in law and main arguments

The pleas in law and main arguments are similar to those relied on in Case T-389/19, *Coppo Gavazzi v Parliament*.

Action brought on 28 June 2019 — Viola v Parliament**(Case T-417/19)**

(2019/C 295/56)

*Language of the case: Italian***Parties***Applicant:* Vincenzo Viola (Palermo, Italy) (represented by: M. Merola, lawyer)

Defendant: European Parliament

Form of order sought

The applicant claims that the Court should:

- declare non-existent or annul in its entirety the measure of which the applicant was informed by means of the contested communication, in which the European Parliament re-determined retirement pension rights and ordered recovery of the amount paid on the basis of the earlier pension calculation;
- order the European Parliament to refund all the sums unduly withheld, and to pay statutory interest from the date of withholding to the date of payment and order the European Parliament to implement the judgment and undertake all the necessary initiatives, acts or measures to ensure the immediate, full re-establishment of the original pension amount;
- order the European Parliament to pay the costs.

Pleas in law and main arguments

The pleas in law and main arguments are similar to those relied on in Case T-389/19, *Coppo Gavazzi v Parliament*.

Action brought on 3 July 2019 — Mussa v Parliament

(Case T-418/19)

(2019/C 295/57)

Language of the case: Italian

Parties

Applicant: Antonio Mussa (Turin, Italy) (represented by: M. Merola, lawyer)

Defendant: European Parliament

Form of order sought

The applicant claims that the Court should:

- declare non-existent or annul in its entirety the measure of which the applicant was informed by means of the contested communication, in which the European Parliament re-determined retirement pension rights and ordered recovery of the amount paid on the basis of the earlier pension calculation;

- order the European Parliament to refund all the sums unduly withheld, and to pay statutory interest from the date of withholding to the date of payment and order the European Parliament to implement the judgment and undertake all the necessary initiatives, acts or measures to ensure the immediate, full re-establishment of the original pension amount;
- order the European Parliament to pay the costs.

Pleas in law and main arguments

The pleas in law and main arguments are similar to those relied on in Case T-389/19, *Coppo Gavazzi v Parliament*.

Action brought on 3 July 2019 — Colajanni v Parliament

(Case T-419/19)

(2019/C 295/58)

Language of the case: Italian

Parties

Applicant: Luigi Alberto Colajanni (Palermo, Italy) (represented by: M. Merola, lawyer)

Defendant: European Parliament

Form of order sought

The applicant claims that the Court should:

- declare non-existent or annul in its entirety the measure of which the applicant was informed by means of the contested communication, in which the European Parliament re-determined retirement pension rights and ordered recovery of the amount paid on the basis of the earlier pension calculation;
- order the European Parliament to refund all the sums unduly withheld, and to pay statutory interest from the date of withholding to the date of payment and order the European Parliament to implement the judgment and undertake all the necessary initiatives, acts or measures to ensure the immediate, full re-establishment of the original pension amount;
- order the European Parliament to pay the costs.

Pleas in law and main arguments

The pleas in law and main arguments are similar to those relied on in Case T-389/19, *Coppo Gavazzi v Parliament*.

Action brought on 3 July 2019 — Nobilia v Parliament**(Case T-420/19)**

(2019/C 295/59)

*Language of the case: Italian***Parties***Applicant:* Mauro Nobilia (Rome, Italy) (represented by: M. Merola, lawyer)*Defendant:* European Parliament**Form of order sought**

The applicant claims that the Court should:

- declare non-existent or annul in its entirety the measure of which the applicant was informed by means of the contested communication, in which the European Parliament re-determined retirement pension rights and ordered recovery of the amount paid on the basis of the earlier pension calculation;
- order the European Parliament to refund all the sums unduly withheld, and to pay statutory interest from the date of withholding to the date of payment and order the European Parliament to implement the judgment and undertake all the necessary initiatives, acts or measures to ensure the immediate, full re-establishment of the original pension amount;
- order the European Parliament to pay the costs.

Pleas in law and main arguments

The pleas in law and main arguments are similar to those relied on in Case T-389/19, *Coppo Gavazzi v Parliament*.

Action brought on 2 July 2019 — Segre v Parliament**(Case T-421/19)**

(2019/C 295/60)

*Language of the case: Italian***Parties***Applicant:* Sergio Camillo Segre (Rome, Italy) (represented by: M. Merola, lawyer)

Defendant: European Parliament

Form of order sought

The applicant claims that the Court should:

- declare non-existent or annul in its entirety the measure of which the applicant was informed by means of the contested communication, in which the European Parliament re-determined retirement pension rights and ordered recovery of the amount paid on the basis of the earlier pension calculation;
- order the European Parliament to refund all the sums unduly withheld, and to pay statutory interest from the date of withholding to the date of payment and order the European Parliament to implement the judgment and undertake all the necessary initiatives, acts or measures to ensure the immediate, full re-establishment of the original pension amount;
- order the European Parliament to pay the costs.

Pleas in law and main arguments

The pleas in law and main arguments are similar to those relied on in Case T-389/19, *Coppo Gavazzi v Parliament*.

Action brought on 2 July 2019 — De Luca v Parliament

(Case T-422/19)

(2019/C 295/61)

Language of the case: Italian

Parties

Applicant: Stefano De Luca (Palermo, Italy) (represented by: M. Merola and N. De Luca, lawyers)

Defendant: European Parliament

Form of order sought

The applicant claims that the Court should:

- declare non-existent or annul in its entirety the measure of which the applicant was informed by means of the contested communication, in which the European Parliament re-determined retirement pension rights and ordered recovery of the amount paid on the basis of the earlier pension calculation;

- order the European Parliament to refund all the sums unduly withheld, and to pay statutory interest from the date of withholding to the date of payment and order the European Parliament to implement the judgment and undertake all the necessary initiatives, acts or measures to ensure the immediate, full re-establishment of the original pension amount;
- order the European Parliament to pay the costs.

Pleas in law and main arguments

The pleas in law and main arguments are similar to those relied on in Case T-389/19, *Coppo Gavazzi v Parliament*.

Action brought on 2 July 2019 — Martelli v Parliament

(Case T-423/19)

(2019/C 295/62)

Language of the case: Italian

Parties

Applicant: Claudio Martelli (Rome, Italy) (represented by: M. Merola, lawyer)

Defendant: European Parliament

Form of order sought

The applicant claims that the Court should:

- declare non-existent or annul in its entirety the measure of which the applicant was informed by means of the contested communication, in which the European Parliament re-determined retirement pension rights and ordered recovery of the amount paid on the basis of the earlier pension calculation;
- order the European Parliament to refund all the sums unduly withheld, and to pay statutory interest from the date of withholding to the date of payment and order the European Parliament to implement the judgment and undertake all the necessary initiatives, acts or measures to ensure the immediate, full re-establishment of the original pension amount;
- order the European Parliament to pay the costs.

Pleas in law and main arguments

The pleas in law and main arguments are similar to those relied on in Case T-389/19, *Coppo Gavazzi v Parliament*.

Action brought on 2 July 2019 — Sbarbati v Parliament**(Case T-424/19)**

(2019/C 295/63)

*Language of the case: Italian***Parties***Applicant:* Luciana Sbarbati (Chiaravalle, Italy) (represented by: M. Merola, lawyer)*Defendant:* European Parliament**Form of order sought**

The applicant claims that the Court should:

- declare non-existent or annul in its entirety the measure of which the applicant was informed by means of the contested communication, in which the European Parliament re-determined retirement pension rights and ordered recovery of the amount paid on the basis of the earlier pension calculation;
- order the European Parliament to refund all the sums unduly withheld, and to pay statutory interest from the date of withholding to the date of payment and order the European Parliament to implement the judgment and undertake all the necessary initiatives, acts or measures to ensure the immediate, full re-establishment of the original pension amount;
- order the European Parliament to pay the costs.

Pleas in law and main arguments

The pleas in law and main arguments are similar to those relied on in Case T-389/19, *Coppo Gavazzi v Parliament*.

Action brought on 2 July 2019 — Ventre v Parliament**(Case T-425/19)**

(2019/C 295/64)

*Language of the case: Italian***Parties***Applicant:* Riccardo Ventre (Formicola, Italy) (represented by: M. Merola, lawyer)

Defendant: European Parliament

Form of order sought

The applicant claims that the Court should:

- declare non-existent or annul in its entirety the measure of which the applicant was informed by means of the contested communication, in which the European Parliament re-determined retirement pension rights and ordered recovery of the amount paid on the basis of the earlier pension calculation;
- order the European Parliament to refund all the sums unduly withheld, and to pay statutory interest from the date of withholding to the date of payment and order the European Parliament to implement the judgment and undertake all the necessary initiatives, acts or measures to ensure the immediate, full re-establishment of the original pension amount;
- order the European Parliament to pay the costs.

Pleas in law and main arguments

The pleas in law and main arguments are similar to those relied on in Case T-389/19, *Coppo Gavazzi v Parliament*.

Action brought on 2 July 2019 — Musoni v Parliament

(Case T-426/19)

(2019/C 295/65)

Language of the case: Italian

Parties

Applicant: Mirella Musoni (Rome, Italy) (represented by: M. Merola, lawyer)

Defendant: European Parliament

Form of order sought

The applicant claims that the Court should:

- declare non-existent or annul in its entirety the measure of which the applicant was informed by means of the contested communication, in which the European Parliament re-determined retirement pension rights and ordered recovery of the amount paid on the basis of the earlier pension calculation;

- order the European Parliament to refund all the sums unduly withheld, and to pay statutory interest from the date of withholding to the date of payment and order the European Parliament to implement the judgment and undertake all the necessary initiatives, acts or measures to ensure the immediate, full re-establishment of the original pension amount;
- order the European Parliament to pay the costs.

Pleas in law and main arguments

The pleas in law and main arguments are similar to those relied on in Case T-389/19, *Coppo Gavazzi v Parliament*.

Action brought on 2 July 2019 — Frantova v Parliament

(Case T-427/19)

(2019/C 295/66)

Language of the case: Italian

Parties

Applicant: Jitka Frantova (Rome, Italy) (represented by: M. Merola, lawyer)

Defendant: European Parliament

Form of order sought

The applicant claims that the Court should:

- declare non-existent or annul in its entirety the measure of which the applicant was informed by means of the contested communication, in which the European Parliament re-determined retirement pension rights and ordered recovery of the amount paid on the basis of the earlier pension calculation;
- order the European Parliament to refund all the sums unduly withheld, and to pay statutory interest from the date of withholding to the date of payment and order the European Parliament to implement the judgment and undertake all the necessary initiatives, acts or measures to ensure the immediate, full re-establishment of the original pension amount;
- order the European Parliament to pay the costs.

Pleas in law and main arguments

The pleas in law and main arguments are similar to those relied on in Case T-389/19, *Coppo Gavazzi v Parliament*.

Action brought on 2 July 2019 — Rigo v Parliament**(Case T-428/19)**

(2019/C 295/67)

*Language of the case: Italian***Parties***Applicant:* Mario Rigo (Noale, Italy) (represented by: M. Merola, lawyer)*Defendant:* European Parliament**Form of order sought**

The applicant claims that the Court should:

- declare non-existent or annul in its entirety the measure of which the applicant was informed by means of the contested communication, in which the European Parliament re-determined retirement pension rights and ordered recovery of the amount paid on the basis of the earlier pension calculation;
- order the European Parliament to refund all the sums unduly withheld, and to pay statutory interest from the date of withholding to the date of payment and order the European Parliament to implement the judgment and undertake all the necessary initiatives, acts or measures to ensure the immediate, full re-establishment of the original pension amount;
- order the European Parliament to pay the costs.

Pleas in law and main arguments

The pleas in law and main arguments are similar to those relied on in Case T-389/19, *Coppo Gavazzi v Parliament*.

Action brought on 2 July 2019 — Iacono v Parliament**(Case T-429/19)**

(2019/C 295/68)

*Language of the case: Italian***Parties***Applicant:* Francesco Iacono (Forio, Italy) (represented by: M. Merola, lawyer)

Defendant: European Parliament

Form of order sought

The applicant claims that the Court should:

- declare non-existent or annul in its entirety the measure of which the applicant was informed by means of the contested communication, in which the European Parliament re-determined retirement pension rights and ordered recovery of the amount paid on the basis of the earlier pension calculation;
- order the European Parliament to refund all the sums unduly withheld, and to pay statutory interest from the date of withholding to the date of payment and order the European Parliament to implement the judgment and undertake all the necessary initiatives, acts or measures to ensure the immediate, full re-establishment of the original pension amount;
- order the European Parliament to pay the costs.

Pleas in law and main arguments

The pleas in law and main arguments are similar to those relied on in Case T-389/19, *Coppo Gavazzi v Parliament*.

Action brought on 2 July 2019 — Bonsignore v Parliament

(Case T-430/19)

(2019/C 295/69)

Language of the case: Italian

Parties

Applicant: Vito Bonsignore (Turin, Italy) (represented by: M. Merola, lawyer)

Defendant: European Parliament

Form of order sought

The applicant claims that the Court should:

- declare non-existent or annul in its entirety the measure of which the applicant was informed by means of the contested communication, in which the European Parliament re-determined retirement pension rights and ordered recovery of the amount paid on the basis of the earlier pension calculation;

- order the European Parliament to refund all the sums unduly withheld, and to pay statutory interest from the date of withholding to the date of payment and order the European Parliament to implement the judgment and undertake all the necessary initiatives, acts or measures to ensure the immediate, full re-establishment of the original pension amount;
- order the European Parliament to pay the costs.

Pleas in law and main arguments

The pleas in law and main arguments are similar to those relied on in Case T-389/19, *Coppo Gavazzi v Parliament*.

Action brought on 2 July 2019 — Azzolini v Parliament

(Case T-431/19)

(2019/C 295/70)

Language of the case: Italian

Parties

Applicant: Claudio Azzolini (Naples, Italy) (represented by: M. Merola, lawyer)

Defendant: European Parliament

Form of order sought

The applicant claims that the Court should:

- declare non-existent or annul in its entirety the measure of which the applicant was informed by means of the contested communication, in which the European Parliament re-determined retirement pension rights and ordered recovery of the amount paid on the basis of the earlier pension calculation;
- order the European Parliament to refund all the sums unduly withheld, and to pay statutory interest from the date of withholding to the date of payment and order the European Parliament to implement the judgment and undertake all the necessary initiatives, acts or measures to ensure the immediate, full re-establishment of the original pension amount;
- order the European Parliament to pay the costs.

Pleas in law and main arguments

The pleas in law and main arguments are similar to those relied on in Case T-389/19, *Coppo Gavazzi v Parliament*.

Action brought on 2 July 2019 — Gawronski v Parliament**(Case T-432/19)**

(2019/C 295/71)

*Language of the case: Italian***Parties***Applicant:* Jas Gawronski (Rome, Italy) (represented by: M. Merola, lawyer)*Defendant:* European Parliament**Form of order sought**

The applicant claims that the Court should:

- declare non-existent or annul in its entirety the measure of which the applicant was informed by means of the contested communication, in which the European Parliament re-determined retirement pension rights and ordered recovery of the amount paid on the basis of the earlier pension calculation;
- order the European Parliament to refund all the sums unduly withheld, and to pay statutory interest from the date of withholding to the date of payment and order the European Parliament to implement the judgment and undertake all the necessary initiatives, acts or measures to ensure the immediate, full re-establishment of the original pension amount;
- order the European Parliament to pay the costs.

Pleas in law and main arguments

The pleas in law and main arguments are similar to those relied on in Case T-389/19, *Coppo Gavazzi v Parliament*.

Action brought on 2 July 2019 — Speciale v Parliament**(Case T-433/19)**

(2019/C 295/72)

*Language of the case: Italian***Parties***Applicant:* Roberto Speciale (Bogliasco, Italy) (represented by: M. Merola, lawyer)

Defendant: European Parliament

Form of order sought

The applicant claims that the Court should:

- declare non-existent or annul in its entirety the measure of which the applicant was informed by means of the contested communication, in which the European Parliament re-determined retirement pension rights and ordered recovery of the amount paid on the basis of the earlier pension calculation;
- order the European Parliament to refund all the sums unduly withheld, and to pay statutory interest from the date of withholding to the date of payment and order the European Parliament to implement the judgment and undertake all the necessary initiatives, acts or measures to ensure the immediate, full re-establishment of the original pension amount;
- order the European Parliament to pay the costs.

Pleas in law and main arguments

The pleas in law and main arguments are similar to those relied on in Case T-389/19, *Coppo Gavazzi v Parliament*.

Action brought on 25 June 2019 — Rosca v Commission

(Case T-434/19)

(2019/C 295/73)

Language of the case: English

Parties

Applicant: Ioana-Felicia Rosca (Vienna, Austria) (represented by: L. Tufler, lawyer)

Defendant: European Commission

Form of order sought

The applicants claim that the Court should:

- annul, first, the jury's decision in Open Competition EPSO/AD/363/18 (AD7) — 2 (Administrators in field of taxation) to exclude the applicant from the next phase of the competition (Assessment Centre) following her request for review and, second, all the results of the phase Talent Screener;

— order the defendant to pay the costs.

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 infringement of Article 90 of the Staff Regulations.
2. Second plea in law, alleging infringement of Article 27 of the Staff Regulations.
3. Third plea in law, alleging breach of the principle of equal treatment between candidates during the selection process based on qualifications.

Action brought on 1 July 2019 — Caligaris v Parliament

(Case T-435/19)

(2019/C 295/74)

Language of the case: Italian

Parties

Applicant: Luigi Caligaris (Rome, Italy) (represented by: M. Merola, lawyer)

Defendant: European Parliament

Form of order sought

The applicant claims that the Court should:

- declare non-existent or annul in its entirety the measure of which the applicant was informed by means of the contested communication, in which the European Parliament re-determined retirement pension rights and ordered recovery of the amount paid on the basis of the earlier pension calculation;
- order the European Parliament to refund all the sums unduly withheld, and to pay statutory interest from the date of withholding to the date of payment and order the European Parliament to implement the judgment and undertake all the necessary initiatives, acts or measures to ensure the immediate, full re-establishment of the original pension amount;
- order the European Parliament to pay the costs.

Pleas in law and main arguments

The pleas in law and main arguments are similar to those relied on in Case T-389/19, *Coppo Gavazzi v Parliament*.

Action brought on 1 July 2019 — Aita v Parliament**(Case T-436/19)**

(2019/C 295/75)

*Language of the case: Italian***Parties***Applicant:* Vincenzo Aita (Campagna, Italy) (represented by: M. Merola, lawyer)*Defendant:* European Parliament**Form of order sought**

The applicant claims that the Court should:

- declare non-existent or annul in its entirety the measure of which the applicant was informed by means of the contested communication, in which the European Parliament re-determined retirement pension rights and ordered recovery of the amount paid on the basis of the earlier pension calculation;
- order the European Parliament to refund all the sums unduly withheld, and to pay statutory interest from the date of withholding to the date of payment and order the European Parliament to implement the judgment and undertake all the necessary initiatives, acts or measures to ensure the immediate, full re-establishment of the original pension amount;
- order the European Parliament to pay the costs.

Pleas in law and main arguments

The pleas in law and main arguments are similar to those relied on in Case T-389/19, *Coppo Gavazzi v Parliament*.

Action brought on 1 July 2019 — Melandri v Parliament**(Case T-437/19)**

(2019/C 295/76)

*Language of the case: Italian***Parties***Applicant:* Eugenio Melandri (Rome, Italy) (represented by: M. Merola, lawyer)

Defendant: European Parliament

Form of order sought

The applicant claims that the Court should:

- declare non-existent or annul in its entirety the measure of which the applicant was informed by means of the contested communication, in which the European Parliament re-determined retirement pension rights and ordered recovery of the amount paid on the basis of the earlier pension calculation;
- order the European Parliament to refund all the sums unduly withheld, and to pay statutory interest from the date of withholding to the date of payment and order the European Parliament to implement the judgment and undertake all the necessary initiatives, acts or measures to ensure the immediate, full re-establishment of the original pension amount;
- order the European Parliament to pay the costs.

Pleas in law and main arguments

The pleas in law and main arguments are similar to those relied on in Case T-389/19, *Coppo Gavazzi v Parliament*.

Action brought on 1 July 2019 — Novelli v Parliament

(Case T-438/19)

(2019/C 295/77)

Language of the case: Italian

Parties

Applicant: Diego Novelli (Turin, Italy) (represented by: M. Merola, lawyer)

Defendant: European Parliament

Form of order sought

The applicant claims that the Court should:

- declare non-existent or annul in its entirety the measure of which the applicant was informed by means of the contested communication, in which the European Parliament re-determined retirement pension rights and ordered recovery of the amount paid on the basis of the earlier pension calculation;

- order the European Parliament to refund all the sums unduly withheld, and to pay statutory interest from the date of withholding to the date of payment and order the European Parliament to implement the judgment and undertake all the necessary initiatives, acts or measures to ensure the immediate, full re-establishment of the original pension amount;
- order the European Parliament to pay the costs.

Pleas in law and main arguments

The pleas in law and main arguments are similar to those relied on in Case T-389/19, *Coppo Gavazzi v Parliament*.

Action brought on 1 July 2019 — Mantovani v Parliament

(Case T-439/19)

(2019/C 295/78)

Language of the case: Italian

Parties

Applicant: Mario Mantovani (Arconate, Italy) (represented by: M. Merola, lawyer)

Defendant: European Parliament

Form of order sought

The applicant claims that the Court should:

- declare non-existent or annul in its entirety the measure of which the applicant was informed by means of the contested communication, in which the European Parliament re-determined retirement pension rights and ordered recovery of the amount paid on the basis of the earlier pension calculation;
- order the European Parliament to refund all the sums unduly withheld, and to pay statutory interest from the date of withholding to the date of payment and order the European Parliament to implement the judgment and undertake all the necessary initiatives, acts or measures to ensure the immediate, full re-establishment of the original pension amount;
- order the European Parliament to pay the costs.

Pleas in law and main arguments

The pleas in law and main arguments are similar to those relied on in Case T-389/19, *Coppo Gavazzi v Parliament*.

Action brought on 1 July 2019 — Mattina v Parliament**(Case T-440/19)**

(2019/C 295/79)

*Language of the case: Italian***Parties***Applicant:* Vincenzo Mattina (Buonabitacolo, Italy) (represented by: M. Merola, lawyer)*Defendant:* European Parliament**Form of order sought**

The applicant claims that the Court should:

- declare non-existent or annul in its entirety the measure of which the applicant was informed by means of the contested communication, in which the European Parliament re-determined retirement pension rights and ordered recovery of the amount paid on the basis of the earlier pension calculation;
- order the European Parliament to refund all the sums unduly withheld, and to pay statutory interest from the date of withholding to the date of payment and order the European Parliament to implement the judgment and undertake all the necessary initiatives, acts or measures to ensure the immediate, full re-establishment of the original pension amount;
- order the European Parliament to pay the costs.

Pleas in law and main arguments

The pleas in law and main arguments are similar to those relied on in Case T-389/19, *Coppo Gavazzi v Parliament*.

Action brought on 1 July 2019 — La Russa v Parliament**(Case T-441/19)**

(2019/C 295/80)

*Language of the case: Italian***Parties***Applicant:* Romano Maria La Russa (Milan, Italy) (represented by: M. Merola, lawyer)

Defendant: European Parliament

Form of order sought

The applicant claims that the Court should:

- declare non-existent or annul in its entirety the measure of which the applicant was informed by means of the contested communication, in which the European Parliament re-determined retirement pension rights and ordered recovery of the amount paid on the basis of the earlier pension calculation;
- order the European Parliament to refund all the sums unduly withheld, and to pay statutory interest from the date of withholding to the date of payment and order the European Parliament to implement the judgment and undertake all the necessary initiatives, acts or measures to ensure the immediate, full re-establishment of the original pension amount;
- order the European Parliament to pay the costs.

Pleas in law and main arguments

The pleas in law and main arguments are similar to those relied on in Case T-389/19, *Coppo Gavazzi v Parliament*.

Action brought on 1 July 2019 — Carollo v Parliament

(Case T-442/19)

(2019/C 295/81)

Language of the case: Italian

Parties

Applicant: Giorgio Carollo (Torri di Quartesolo, Italy) (represented by: M. Merola, lawyer)

Defendant: European Parliament

Form of order sought

The applicant claims that the Court should:

- declare non-existent or annul in its entirety the measure of which the applicant was informed by means of the contested communication, in which the European Parliament re-determined retirement pension rights and ordered recovery of the amount paid on the basis of the earlier pension calculation;

- order the European Parliament to refund all the sums unduly withheld, and to pay statutory interest from the date of withholding to the date of payment and order the European Parliament to implement the judgment and undertake all the necessary initiatives, acts or measures to ensure the immediate, full re-establishment of the original pension amount;
- order the European Parliament to pay the costs.

Pleas in law and main arguments

The pleas in law and main arguments are similar to those relied on in Case T-389/19, *Coppo Gavazzi v Parliament*.

Action brought on 1 July 2019 — Arroni v Parliament

(Case T-443/19)

(2019/C 295/82)

Language of the case: Italian

Parties

Applicant: Aldo Arroni (Milan, Italy) (represented by: M. Merola and L. Florio, lawyers)

Defendant: European Parliament

Form of order sought

The applicant claims that the Court should:

- declare non-existent or annul in its entirety the measure of which the applicant was informed by means of the contested communication, in which the European Parliament re-determined retirement pension rights and ordered recovery of the amount paid on the basis of the earlier pension calculation;
- order the European Parliament to refund all the sums unduly withheld, and to pay statutory interest from the date of withholding to the date of payment and order the European Parliament to implement the judgment and undertake all the necessary initiatives, acts or measures to ensure the immediate, full re-establishment of the original pension amount;
- order the European Parliament to pay the costs.

Pleas in law and main arguments

The pleas in law and main arguments are similar to those relied on in Case T-389/19, *Coppo Gavazzi v Parliament*.

Action brought on 1 July 2019 — Locatelli v Parliament**(Case T-444/19)**

(2019/C 295/83)

*Language of the case: Italian***Parties***Applicant:* Pia Elda Locatelli (Chiuduno, Italy) (represented by: M. Merola, lawyer)*Defendant:* European Parliament**Form of order sought**

The applicant claims that the Court should:

- declare non-existent or annul in its entirety the measure of which the applicant was informed by means of the contested communication, in which the European Parliament re-determined retirement pension rights and ordered recovery of the amount paid on the basis of the earlier pension calculation;
- order the European Parliament to refund all the sums unduly withheld, and to pay statutory interest from the date of withholding to the date of payment and order the European Parliament to implement the judgment and undertake all the necessary initiatives, acts or measures to ensure the immediate, full re-establishment of the original pension amount;
- order the European Parliament to pay the costs.

Pleas in law and main arguments

The pleas in law and main arguments are similar to those relied on in Case T-389/19, *Coppo Gavazzi v Parliament*.

Action brought on 1 July 2019 — Chiesa v Parliament**(Case T-445/19)**

(2019/C 295/84)

*Language of the case: Italian***Parties***Applicant:* Giulietto Chiesa (Rome, Italy) (represented by: M. Merola, lawyer)

Defendant: European Parliament

Form of order sought

The applicant claims that the Court should:

- declare non-existent or annul in its entirety the measure of which the applicant was informed by means of the contested communication, in which the European Parliament re-determined retirement pension rights and ordered recovery of the amount paid on the basis of the earlier pension calculation;
- order the European Parliament to refund all the sums unduly withheld, and to pay statutory interest from the date of withholding to the date of payment and order the European Parliament to implement the judgment and undertake all the necessary initiatives, acts or measures to ensure the immediate, full re-establishment of the original pension amount;
- order the European Parliament to pay the costs.

Pleas in law and main arguments

The pleas in law and main arguments are similar to those relied on in Case T-389/19, *Coppo Gavazzi v Parliament*.

Action brought on 1 July 2019 — Castellina v Parliament

(Case T-446/19)

(2019/C 295/85)

Language of the case: Italian

Parties

Applicant: Luciana Castellina (Rome, Italy) (represented by: M. Merola, lawyer)

Defendant: European Parliament

Form of order sought

The applicant claims that the Court should:

- declare non-existent or annul in its entirety the measure of which the applicant was informed by means of the contested communication, in which the European Parliament re-determined retirement pension rights and ordered recovery of the amount paid on the basis of the earlier pension calculation;

- order the European Parliament to refund all the sums unduly withheld, and to pay statutory interest from the date of withholding to the date of payment and order the European Parliament to implement the judgment and undertake all the necessary initiatives, acts or measures to ensure the immediate, full re-establishment of the original pension amount;
- order the European Parliament to pay the costs.

Pleas in law and main arguments

The pleas in law and main arguments are similar to those relied on in Case T-389/19, *Coppo Gavazzi v Parliament*.

Action brought on 3 July 2019 — Costanzo v Parliament

(Case T-448/19)

(2019/C 295/86)

Language of the case: Italian

Parties

Applicant: Roberto Costanzo (Benevento, Italy) (represented by: M. Merola, lawyer)

Defendant: European Parliament

Form of order sought

The applicant claims that the Court should:

- declare non-existent or annul in its entirety the measure of which the applicant was informed by means of the contested communication, in which the European Parliament re-determined retirement pension rights and ordered recovery of the amount paid on the basis of the earlier pension calculation;
- order the European Parliament to refund all the sums unduly withheld, and to pay statutory interest from the date of withholding to the date of payment and order the European Parliament to implement the judgment and undertake all the necessary initiatives, acts or measures to ensure the immediate, full re-establishment of the original pension amount;
- order the European Parliament to pay the costs.

Pleas in law and main arguments

The pleas in law and main arguments are similar to those relied on in Case T-389/19, *Coppo Gavazzi v Parliament*.

Action brought on 3 July 2019 — Dell’Alba v Parliament**(Case T-449/19)**

(2019/C 295/87)

*Language of the case: Italian***Parties***Applicant:* Gianfranco Dell’Alba (Brussels, Belgium) (represented by: M. Merola, lawyer)*Defendant:* European Parliament**Form of order sought**

The applicant claims that the Court should:

- declare non-existent or annul in its entirety the measure of which the applicant was informed by means of the contested communication, in which the European Parliament re-determined retirement pension rights and ordered recovery of the amount paid on the basis of the earlier pension calculation;
- order the European Parliament to refund all the sums unduly withheld, and to pay statutory interest from the date of withholding to the date of payment and order the European Parliament to implement the judgment and undertake all the necessary initiatives, acts or measures to ensure the immediate, full re-establishment of the original pension amount;
- order the European Parliament to pay the costs.

Pleas in law and main arguments

The pleas in law and main arguments are similar to those relied on in Case T-389/19, *Coppo Gavazzi v Parliament*.

Action brought on 3 July 2019 — Gallenzi v Parliament**(Case T-450/19)**

(2019/C 295/88)

*Language of the case: Italian***Parties***Applicant:* Giulio Cesare Gallenzi (Ariccia, Italy) (represented by: M. Merola, lawyer)

Defendant: European Parliament

Form of order sought

The applicant claims that the Court should:

- declare non-existent or annul in its entirety the measure of which the applicant was informed by means of the contested communication, in which the European Parliament re-determined retirement pension rights and ordered recovery of the amount paid on the basis of the earlier pension calculation;
- order the European Parliament to refund all the sums unduly withheld, and to pay statutory interest from the date of withholding to the date of payment and order the European Parliament to implement the judgment and undertake all the necessary initiatives, acts or measures to ensure the immediate, full re-establishment of the original pension amount;
- order the European Parliament to pay the costs.

Pleas in law and main arguments

The pleas in law and main arguments are similar to those relied on in Case T-389/19, *Coppo Gavazzi v Parliament*.

Action brought on 3 July 2019 — Gemelli v Parliament

(Case T-451/19)

(2019/C 295/89)

Language of the case: Italian

Parties

Applicant: Vitaliano Gemelli (Rome, Italy) (represented by: M. Merola, lawyer)

Defendant: European Parliament

Form of order sought

The applicant claims that the Court should:

- declare non-existent or annul in its entirety the measure of which the applicant was informed by means of the contested communication, in which the European Parliament re-determined retirement pension rights and ordered recovery of the amount paid on the basis of the earlier pension calculation;

- order the European Parliament to refund all the sums unduly withheld, and to pay statutory interest from the date of withholding to the date of payment and order the European Parliament to implement the judgment and undertake all the necessary initiatives, acts or measures to ensure the immediate, full re-establishment of the original pension amount;
- order the European Parliament to pay the costs.

Pleas in law and main arguments

The pleas in law and main arguments are similar to those relied on in Case T-389/19, *Coppo Gavazzi v Parliament*.

Action brought on 3 July 2019 — Napoletano v Parliament

(Case T-452/19)

(2019/C 295/90)

Language of the case: Italian

Parties

Applicant: Pasqualina Napoletano (Anzio, Italy) (represented by: M. Merola, lawyer)

Defendant: European Parliament

Form of order sought

The applicant claims that the Court should:

- declare non-existent or annul in its entirety the measure of which the applicant was informed by means of the contested communication, in which the European Parliament re-determined retirement pension rights and ordered recovery of the amount paid on the basis of the earlier pension calculation;
- order the European Parliament to refund all the sums unduly withheld, and to pay statutory interest from the date of withholding to the date of payment and order the European Parliament to implement the judgment and undertake all the necessary initiatives, acts or measures to ensure the immediate, full re-establishment of the original pension amount;
- order the European Parliament to pay the costs.

Pleas in law and main arguments

The pleas in law and main arguments are similar to those relied on in Case T-389/19, *Coppo Gavazzi v Parliament*.

Action brought on 3 July 2019 — Panusa v Parliament**(Case T-453/19)**

(2019/C 295/91)

*Language of the case: Italian***Parties***Applicant:* Ida Panusa (Latina, Italy) (represented by: M. Merola, lawyer)*Defendant:* European Parliament**Form of order sought**

The applicant claims that the Court should:

- declare non-existent or annul in its entirety the measure of which the applicant was informed by means of the contested communication, in which the European Parliament re-determined retirement pension rights;
- order the European Parliament to pay the costs.

Pleas in law and main arguments

The pleas in law and main arguments are similar to those relied on in Case T-389/19, *Coppo Gavazzi v Parliament*.

Action brought on 4 July 2019 — Musotto v Parliament**(Case T-454/19)**

(2019/C 295/92)

*Language of the case: Italian***Parties***Applicant:* Francesco Musotto (Pollina, Italy) (represented by: M. Merola, lawyer)*Defendant:* European Parliament**Form of order sought**

The applicant claims that the Court should:

- declare non-existent or annul in its entirety the measure of which the applicant was informed by means of the contested communication, in which the European Parliament re-determined retirement pension rights and ordered recovery of the amount paid on the basis of the earlier pension calculation;

- order the European Parliament to refund all the sums unduly withheld, and to pay statutory interest from the date of withholding to the date of payment and order the European Parliament to implement the judgment and undertake all the necessary initiatives, acts or measures to ensure the immediate, full re-establishment of the original pension amount;
- order the European Parliament to pay the costs.

Pleas in law and main arguments

The pleas in law and main arguments are similar to those relied on in Case T-389/19, *Coppo Gavazzi v Parliament*.

Action brought on 4 July 2019 — Pettinari v Parliament

(Case T-455/19)

(2019/C 295/93)

Language of the case: Italian

Parties

Applicant: Luciano Pettinari (Rome, Italy) (represented by: M. Merola, lawyer)

Defendant: European Parliament

Form of order sought

The applicant claims that the Court should:

- declare non-existent or annul in its entirety the measure of which the applicant was informed by means of the contested communication, in which the European Parliament re-determined retirement pension rights and ordered recovery of the amount paid on the basis of the earlier pension calculation;
- order the European Parliament to refund all the sums unduly withheld, and to pay statutory interest from the date of withholding to the date of payment and order the European Parliament to implement the judgment and undertake all the necessary initiatives, acts or measures to ensure the immediate, full re-establishment of the original pension amount;
- order the European Parliament to pay the costs.

Pleas in law and main arguments

The pleas in law and main arguments are similar to those relied on in Case T-389/19, *Coppo Gavazzi v Parliament*.

Action brought on 4 July 2019 — Di Prima v Parliament**(Case T-458/19)**

(2019/C 295/94)

*Language of the case: Italian***Parties***Applicant:* Pietro Di Prima (Palermo, Italy) (represented by: M. Merola, lawyer)*Defendant:* European Parliament**Form of order sought**

The applicant claims that the Court should:

- declare non-existent or annul in its entirety the measure of which the applicant was informed by means of the contested communication, in which the European Parliament re-determined retirement pension rights and ordered recovery of the amount paid on the basis of the earlier pension calculation;
- order the European Parliament to refund all the sums unduly withheld, and to pay statutory interest from the date of withholding to the date of payment and order the European Parliament to implement the judgment and undertake all the necessary initiatives, acts or measures to ensure the immediate, full re-establishment of the original pension amount;
- order the European Parliament to pay the costs.

Pleas in law and main arguments

The pleas in law and main arguments are similar to those relied on in Case T-389/19, *Coppo Gavazzi v Parliament*.

Action brought on 5 July 2019 — Barbarella v Parliament**(Case T-459/19)**

(2019/C 295/95)

*Language of the case: Italian***Parties***Applicant:* Carla Barbarella (Magione, Italy) (represented by: M. Merola, lawyer)*Defendant:* European Parliament

Form of order sought

The applicant claims that the Court should:

- declare non-existent or annul in its entirety the measure of which the applicant was informed by means of the contested communication, in which the European Parliament re-determined retirement pension rights and ordered recovery of the amount paid on the basis of the earlier pension calculation;
- order the European Parliament to refund all the sums unduly withheld, and to pay statutory interest from the date of withholding to the date of payment and order the European Parliament to implement the judgment and undertake all the necessary initiatives, acts or measures to ensure the immediate, full re-establishment of the original pension amount;
- order the European Parliament to pay the costs.

Pleas in law and main arguments

The pleas in law and main arguments are similar to those relied on in Case T-389/19, *Coppo Gavazzi v Parliament*.

Action brought on 5 July 2019 — Graziani v Parliament

(Case T-460/19)

(2019/C 295/96)

Language of the case: Italian

Parties

Applicant: Carlo Alberto Graziani (Fiesole, Italy) (represented by: M. Merola, lawyer)

Defendant: European Parliament

Form of order sought

The applicant claims that the Court should:

- declare non-existent or annul in its entirety the measure of which the applicant was informed by means of the contested communication, in which the European Parliament re-determined retirement pension rights and ordered recovery of the amount paid on the basis of the earlier pension calculation;
- order the European Parliament to refund all the sums unduly withheld, and to pay statutory interest from the date of withholding to the date of payment and order the European Parliament to implement the judgment and undertake all the necessary initiatives, acts or measures to ensure the immediate, full re-establishment of the original pension amount;
- order the European Parliament to pay the costs.

Pleas in law and main arguments

The pleas in law and main arguments are similar to those relied on in Case T-389/19, *Coppo Gavazzi v Parliament*.

Action brought on 4 July 2019 — Rossetti v Parliament**(Case T-461/19)**

(2019/C 295/97)

*Language of the case: Italian***Parties***Applicant:* Giorgio Rossetti (Trieste, Italy) (represented by: M. Merola, lawyer)*Defendant:* European Parliament**Form of order sought**

The applicant claims that the Court should:

- declare non-existent or annul in its entirety the measure of which the applicant was informed by means of the contested communication, in which the European Parliament re-determined retirement pension rights and ordered recovery of the amount paid on the basis of the earlier pension calculation;
- order the European Parliament to refund all the sums unduly withheld, and to pay statutory interest from the date of withholding to the date of payment and order the European Parliament to implement the judgment and undertake all the necessary initiatives, acts or measures to ensure the immediate, full re-establishment of the original pension amount;
- order the European Parliament to pay the costs.

Pleas in law and main arguments

The pleas in law and main arguments are similar to those relied on in Case T-389/19, *Coppo Gavazzi v Parliament*.

Action brought on 4 July 2019 — Porrazzini v Parliament**(Case T-462/19)**

(2019/C 295/98)

*Language of the case: Italian***Parties***Applicant:* Giacomo Porrazzini (Terni, Italy) (represented by: M. Merola, lawyer)*Defendant:* European Parliament

Form of order sought

The applicant claims that the Court should:

- declare non-existent or annul in its entirety the measure of which the applicant was informed by means of the contested communication, in which the European Parliament re-determined retirement pension rights and ordered recovery of the amount paid on the basis of the earlier pension calculation;
- order the European Parliament to refund all the sums unduly withheld, and to pay statutory interest from the date of withholding to the date of payment and order the European Parliament to implement the judgment and undertake all the necessary initiatives, acts or measures to ensure the immediate, full re-establishment of the original pension amount;
- order the European Parliament to pay the costs.

Pleas in law and main arguments

The pleas in law and main arguments are similar to those relied on in Case T-389/19, *Coppo Gavazzi v Parliament*.

Action brought on 4 July 2019 — Cervetti v Parliament

(Case T-463/19)

(2019/C 295/99)

Language of the case: Italian

Parties

Applicant: Giovanni Cervetti (Milan, Italy) (represented by: M. Merola, lawyer)

Defendant: European Parliament

Form of order sought

The applicant claims that the Court should:

- declare non-existent or annul in its entirety the measure of which the applicant was informed by means of the contested communication, in which the European Parliament re-determined retirement pension rights and ordered recovery of the amount paid on the basis of the earlier pension calculation;
- order the European Parliament to refund all the sums unduly withheld, and to pay statutory interest from the date of withholding to the date of payment and order the European Parliament to implement the judgment and undertake all the necessary initiatives, acts or measures to ensure the immediate, full re-establishment of the original pension amount;
- order the European Parliament to pay the costs.

Pleas in law and main arguments

The pleas in law and main arguments are similar to those relied on in Case T-389/19, *Coppo Gavazzi v Parliament*.

Action brought on 4 July 2019 — Podestà v Parliament**(Case T-464/19)**

(2019/C 295/100)

*Language of the case: Italian***Parties**

Applicant: Guido Podestà (Vila Real de Santo António, Portugal) (represented by: M. Merola, lawyer)

Defendant: European Parliament

Form of order sought

The applicant claims that the Court should:

- declare non-existent or annul in its entirety the measure of which the applicant was informed by means of the contested communication, in which the European Parliament re-determined retirement pension rights and ordered recovery of the amount paid on the basis of the earlier pension calculation;
- order the European Parliament to refund all the sums unduly withheld, and to pay statutory interest from the date of withholding to the date of payment and order the European Parliament to implement the judgment and undertake all the necessary initiatives, acts or measures to ensure the immediate, full re-establishment of the original pension amount;
- order the European Parliament to pay the costs.

Pleas in law and main arguments

The pleas in law and main arguments are similar to those relied on in Case T-389/19, *Coppo Gavazzi v Parliament*.

Action brought on 5 July 2019 — Florio v Parliament**(Case T-465/19)**

(2019/C 295/101)

*Language of the case: Italian***Parties**

Applicant: Luigi Andrea Florio (Asti, Italy) (represented by: M. Merola, lawyer)

Defendant: European Parliament

Form of order sought

The applicant claims that the Court should:

- declare non-existent or annul in its entirety the measure of which the applicant was informed by means of the contested communication, in which the European Parliament re-determined retirement pension rights and ordered recovery of the amount paid on the basis of the earlier pension calculation;
- order the European Parliament to refund all the sums unduly withheld, and to pay statutory interest from the date of withholding to the date of payment and order the European Parliament to implement the judgment and undertake all the necessary initiatives, acts or measures to ensure the immediate, full re-establishment of the original pension amount;
- order the European Parliament to pay the costs.

Pleas in law and main arguments

The pleas in law and main arguments are similar to those relied on in Case T-389/19, *Coppo Gavazzi v Parliament*.

Action brought on 4 July 2019 — Société générale and Others v SRB

(Case T-466/19)

(2019/C 295/102)

Language of the case: French

Parties

Applicants: Société générale (Paris, France), Crédit du Nord (Lille, France) and SG Option Europe (Puteaux, France) (represented by: A. Gosset-Grainville, M. Trabucchi and M. Dalon, lawyers)

Defendant: Single Resolution Board

Form of order sought

The applicants claim that the Court should:

- pursuant to Article 263 TFEU, annul Decision SRB/ES/SRF/2019/10 on the calculation of the 2019 ex-ante contributions to the Single Resolution Fund (SRF) in so far as it concerns the applicants;
- pursuant to Article 277 TFEU, declare the following provisions of the Single Resolution Mechanism Regulation ('SRM Regulation'), the Implementing Regulation and the Delegated Regulation inapplicable:
 - Article 69(2), Article 70(1) and Article 70(2)(a) and (b) of the SRM Regulation;

- Article 4(2), Article 6, Article 7 and Article 10 of the Delegated Regulation and Annex I thereto;
- Article 4 and Article 8(5) of the Implementing Regulation;
- order the defendant to pay all the costs.

Pleas in law and main arguments

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

1. First plea in law, alleging manifest infringement of the principle of equal treatment. In that regard, the applicants claim that they are directly and heavily penalised by the provisions which the contested decision implements owing to the calculation methods of both the basic contribution and of the risk factor as defined therein. According to the applicants, those criteria do not reflect their actual size or their real risk. The manifest infringement of the principle of equality stemming directly from the provisions is moreover enhanced by the different treatment of large institutions, which include the applicants, as compared with small and medium institutions.
2. Second plea in law, alleging manifest infringement of the principle of proportionality. According to the applicants, the infringement, also manifest, of the principle of proportionality by the provisions which the contested decision implements stems automatically from the infringement of the principle of equal treatment. In particular, as the SRF mechanism is based on fixing an overall target level of predetermined contributions, inequality in sharing those contributions between the institutions automatically leads to disproportionate payments and therefore to infringement of the principle of proportionality.
3. Third plea in law, alleging infringement of the principle of legal certainty. The infringement of the principle of legal certainty by the provisions which the contested decision implements relates to both the unpredictability of the calculation methods of the contribution payable by the institution and to the fact that that contribution depends on the situation of an institution compared with that of other institutions rather than on its situation and its overall risk profile as such.
4. Fourth plea in law, alleging infringement of the principle of good administration. The infringement of the principle of good administration is characterised by the contested decision, in that it does not rely on, for the calculation of the risk-adjusted variable, all the risk criteria set out in the Delegated Regulation, although the Single Resolution Board should have been able, four years after the entry into force of the contributions mechanism, to apply all those criteria.

Action brought on 4 July 2019 — BNP Paribas and Others v SRB

(Case T-467/19)

(2019/C 295/103)

Language of the case: French

Parties

Applicants: BNP Paribas (Paris, France), BNP Paribas Arbitrage (Paris) and BNP Paribas Securities Services (Paris) (represented by: A. Gosset-Grainville, M. Trabucchi and M. Dalon, lawyers)

Defendant: Single Resolution Board

Form of order sought

The applicants claim that the Court should:

- pursuant to Article 263 TFEU, annul Decision SRB/ES/SRF/2019/10 on the calculation of the 2019 ex-ante contributions to the Single Resolution Fund (SRF) in so far as it concerns the applicants;
- pursuant to Article 277 TFEU, declare the following provisions of the Single Resolution Mechanism Regulation ('SRM Regulation'), the Implementing Regulation and the Delegated Regulation inapplicable:
 - Article 69(2), Article 70(1) and Article 70(2)(a) and (b) of the SRM Regulation;
 - Article 4(2), Article 6, Article 7 and Article 10 of the Delegated Regulation and Annex I thereto;
 - Article 4 and Article 8(5) of the Implementing Regulation;
- order the defendant to pay all the costs.

Pleas in law and main arguments

In support of the action, the applicants rely on four pleas in law which are, in essence, identical or similar to those relied on in Case T-466/19, *Société générale and Others v SRB*.

Action brought on 4 July 2019 — Confédération nationale du Crédit mutuel and Others v SRB

(Case T-468/19)

(2019/C 295/104)

Language of the case: French

Parties

Applicants: Confédération nationale du Crédit mutuel (Paris, France) and the 25 other applicants (represented by: A. Gosset-Grainville, M. Trabucchi and M. Dalon, lawyers)

Defendant: Single Resolution Board

Form of order sought

The applicants claim that the Court should:

- pursuant to Article 263 TFEU, annul Decision SRB/ES/SRF/2019/10 on the calculation of the 2019 ex-ante contributions to the Single Resolution Fund (SRF) in so far as it concerns the applicants;

- pursuant to Article 277 TFEU, declare the following provisions of the Single Resolution Mechanism Regulation ('SRM Regulation'), the Implementing Regulation and the Delegated Regulation inapplicable:
 - Article 69(2), Article 70(1) and Article 70(2)(a) and (b) of the SRM Regulation;
 - Article 4(2), Article 6, Article 7 and Article 10 of the Delegated Regulation and Annex I thereto;
 - Article 4 and Article 8(5) of the Implementing Regulation;
- order the defendant to pay all the costs.

Pleas in law and main arguments

In support of the action, the applicants rely on four pleas in law which are, in essence, identical or similar to those relied on in Case T-466/19, *Société générale and Others v SRB*.

Action brought on 8 July 2019 — Barzanti v Parliament

(Case T-469/19)

(2019/C 295/105)

Language of the case: Italian

Parties

Applicant: Roberto Barzanti (Siena, Italy) (represented by: M. Merola, lawyer)

Defendant: European Parliament

Form of order sought

The applicant claims that the Court should:

- declare non-existent or annul in its entirety the measure of which the applicant was informed by means of the contested communication, in which the European Parliament re-determined retirement pension rights and ordered recovery of the amount paid on the basis of the earlier pension calculation;
- order the European Parliament to refund all the sums unduly withheld, and to pay statutory interest from the date of withholding to the date of payment and order the European Parliament to implement the judgment and undertake all the necessary initiatives, acts or measures to ensure the immediate, full re-establishment of the original pension amount;
- order the European Parliament to pay the costs.

Pleas in law and main arguments

The pleas in law and main arguments are similar to those relied on in Case T-389/19, *Coppo Gavazzi v Parliament*.

Action brought on 8 July 2019 — Medici v Parliament**(Case T-477/19)**

(2019/C 295/106)

*Language of the case: Italian***Parties***Applicant:* Rita Medici (Bologna, Italy) (represented by: M. Merola, lawyer)*Defendant:* European Parliament**Form of order sought**

The applicant claims that the Court should:

- declare non-existent or annul in its entirety the measure of which the applicant was informed by means of the contested communication, in which the European Parliament re-determined the applicant's survivor's pension rights and ordered recovery of the amount paid on the basis of the earlier pension calculation;
- order the European Parliament to refund all the sums unduly withheld, and to pay statutory interest from the date of withholding to the date of payment and order the European Parliament to implement the judgment and undertake all the necessary initiatives, acts or measures to ensure the immediate, full re-establishment of the original pension amount;
- order the European Parliament to pay the costs.

Pleas in law and main arguments

The pleas in law and main arguments are similar to those relied on in Case T-389/19, *Coppo Gavazzi v Parliament*.

Action brought on 8 July 2019 — CU v Committee of the Regions**(Case T-487/19)**

(2019/C 295/107)

*Language of the case: French***Parties***Applicant:* CU (represented by: S. Orlandi and T. Martin, lawyers)

Defendant: Committee of the Regions

Form of order sought

The applicant claims that the Court should:

- annul the decision of the 18 October 2018 reducing the multiplication factor applicable to the calculation of the applicant's remuneration following his promotion to grade AD 14 during the 2018 promotion exercise;
- order the Committee of the Regions to pay the costs.

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 infringement of Article 44 of the Staff Regulations of Officials of the European Union ('the Staff Regulations'), read in conjunction with Article 7(7) of Annex XIII of the Staff Regulations, in so far as the contested decision infringes the applicant's acquired right to an increase in the multiplication factor applicable to the calculation of his remuneration corresponding to the value of the automatic step advancement.
2. Second plea in law, alleging infringement, by the contested decision, of the fundamental right to equal treatment and the principle of proportionality in so far as two officials of equivalent merit and seniority who are promoted on the same day are treated differently.
3. Third plea in law, alleging breach of the applicant's legitimate expectation that the value of his automatically acquired step advancement will be maintained following his subsequent promotion, on the ground that the multiplication factor was reduced ten months after the initial act.

Action brought on 4 July 2019 — Crédit agricole and Others v SRB

(Case T-488/19)

(2019/C 295/108)

Language of the case: French

Parties

Applicants: Crédit agricole SA (Montrouge, France) and the 48 other applicants (represented by: A. Gosset-Grainville, M. Trabucchi and M. Dalon, lawyers)

Defendant: Single Resolution Board

Form of order sought

The applicants claim that the Court should:

- pursuant to Article 263 TFEU, annul Decision SRB/ES/SRF/2019/10 on the calculation of the 2019 ex-ante contributions to the Single Resolution Fund (SRF) in so far as it concerns the applicants;
- pursuant to Article 277 TFEU, declare the following provisions of the Single Resolution Mechanism Regulation ('SRM Regulation'), the Implementing Regulation and the Delegated Regulation inapplicable:
 - Article 69(2), Article 70(1) and Article 70(2)(a) and (b) of the SRM Regulation;
 - Article 4(2), Article 6, Article 7 and Article 10 of the Delegated Regulation and Annex I thereto;
 - Article 4 and Article 8(5) of the Implementing Regulation;
- order the defendant to pay all the costs.

Pleas in law and main arguments

In support of the action, the applicants rely on four pleas in law which are, in essence, identical or similar to those relied on in Case T-466/19, *Société générale and Others v SRB*.

Action brought on 4 July 2019 — BPCE and Others v SRB

(Case T-489/19)

(2019/C 295/109)

Language of the case: French

Parties

Applicants: BPCE (Paris, France) and the 45 other applicants (represented by: A. Gosset-Grainville, M. Trabucchi and M. Dalon, lawyers)

Defendant: Single Resolution Board

Form of order sought

The applicants claim that the Court should:

- pursuant to Article 263 TFEU, annul Decision SRB/ES/SRF/2019/10 on the calculation of the 2019 ex-ante contributions to the Single Resolution Fund (SRF) in so far as it concerns the applicants;

- pursuant to Article 277 TFEU, declare the following provisions of the Single Resolution Mechanism Regulation ('SRM Regulation'), the Implementing Regulation and the Delegated Regulation inapplicable:
 - Article 69(2), Article 70(1) and Article 70(2)(a) and (b) of the SRM Regulation;
 - Article 4(2), Article 6, Article 7 and Article 10 of the Delegated Regulation and Annex I thereto;
 - Article 4 and Article 8(5) of the Implementing Regulation;
- order the defendant to pay all the costs.

Pleas in law and main arguments

In support of the action, the applicants rely on four pleas in law which are, in essence, identical or similar to those relied on in Case T-466/19, *Société générale and Others v SRB*.

Action brought on 15 July 2019 — DH v Commission

(Case T-507/19)

(2019/C 295/110)

Language of the case: Italian

Parties

Applicant: DH (represented by: E. Bonanni, lawyer)

Defendant: European Commission

Form of order sought

The applicant claims that the Court should:

- annul the Commission's decision of 13 September 2018 for failing to provide for the possibility of objecting to the appointment of Dr X in connection with the possible procedure before the newly established Medical Committee and, accordingly, provide for another independent medical practitioner to be appointed for the procedures relating to Cases T-308/19 and T-316/19, providing prompt notification thereof;
- order the Commission to pay EUR 500 000 or such other amount as the Court shall deem fair;
- order the Commission to inform the Court and/or the applicant, as requested in application D/462/17, of the identity of the doctor appointed by the Medical Committee who consulted the applicant's file in full and, while remaining anonymous, gave a negative opinion on a request for reimbursement in respect of medical care requiring prior authorisation submitted by the applicant in the context of Article 10 of the Common Rules on the insurance of officials of the European Union against the risk of accident and of occupational disease ('the Common Rules');
- in any event, order the Commission to pay the costs.

Pleas in law and main arguments

In support of the action, the applicant claims that, in the present case, there has been conduct that is inconsistent with professional and ethical practices in connection with the renewal of the Medical Committee.

As regards the harm the applicant claims to have suffered, the applicant claims that there has been delay to the proceedings and that the conduct of the doctor in question was inconsistent with professional and ethical practices. He also claims that there have been acts detrimental to the honour and dignity of the victim and unlawful omissions on the part of the Commission, taking into account the fact that the chain of events giving rise to the present action began with the applicant's request of 7 June 2000 for recognition of aggravation of his occupational illness and with judgments against the Commission in two cases: T-212/01 and T-551/16.

Action brought on 15 July 2019 — Mead Johnson Nutrition (Asia Pacific) and Others v Commission**(Case T-508/19)**

(2019/C 295/111)

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

Applicants: Mead Johnson Nutrition (Asia Pacific) Pte Ltd (Singapour, Singapour), MJN Global Holdings BV (Amsterdam, Netherlands), Mead Johnson BV (Nijmegen, Netherlands), Mead Johnson Nutrition Co. (Chicago, Illinois, United States) (represented by: C. Quigley, QC, M. Whitehouse and P. Halford, Solicitors)

Defendant: European Commission

Form of order sought

The applicants claim that the Court should:

- annul the Commission decision C(2018) 7848, or alternatively annul Articles 1, 2 and 5 of the Contested Decision insofar as they apply to the applicants;
- order the Commission to pay the applicants' costs.

Pleas in law and main arguments

In support of the action for annulment of Article 1(2) of the Contested Decision and, in so far as they apply to order recovery from the applicants, Articles 5(1) and 5(2) of the Contested Decision, the applicants rely on six pleas in law.

1. First plea in law, alleging that the Commission made manifest errors of assessment of the relevant provisions of the Income Tax Act of 2010 ('ITA 2010').

2. Second plea in law, alleging that the Commission made an error of law and/or a manifest error of assessment in classifying the non-taxation of non-business royalty income under ITA 2010 as a 'derogation', 'exemption' or 'implicit exemption' from the Gibraltar corporate income tax system which gave rise to a State aid scheme under Article 107(1) TFEU, whereas the non-taxation of non-business royalty income was a valid choice within the fiscal and economic sovereignty of Gibraltar.
3. Third plea in law, alleging that the Commission made an error of law and/or a manifest error of assessment in failing to identify any economic advantage within the meaning and scope of Article 107(1) TFEU arising from the non-taxation of non-business royalty income under ITA 2010.
4. Fourth plea in law, alleging that the Commission made an error of law and/or a manifest error of assessment in wrongly classifying the non-taxation of non-business royalty income under ITA 2010 as a selective advantage within the meaning and scope of Article 107(1) TFEU.
5. Fifth plea in law, alleging that despite denying it, even if there was any such selective advantage, the Commission made an error of law and/or a manifest error of assessment in determining that such advantage included also the non-taxation of royalty income which (as in the case of the applicants) did not as a matter of fact accrue in or derive from Gibraltar.
6. Sixth plea in law, alleging that the Commission made an error of law and/or a manifest error of assessment in classifying the alleged aid as new aid, rather than existing aid.

Furthermore, in support of the action for annulment of Article 2 of the Contested Decision and, in so far as they apply to order recovery from the applicants, Articles 5(1) and 5(2) of the Contested Decision, the applicants rely on four pleas in law:

1. First plea in law, alleging Infringement of Article 108(2) TFEU and Article 6 of the Procedural Regulation.
2. Second plea in law, alleging that the 2012 tax ruling for the applicant was consistent with ITA 2010 and did not constitute individual State aid.
3. Third plea in law, alleging that the Commission made manifest errors of assessment as regards the meaning and effect of the 2012 tax ruling.
4. Fourth plea in law, alleging misuse of power by the Commission.

Action brought on 16 July 2019 — Asolo v EUIPO — Red Bull (FLÜGEL)

(Case T-509/19)

(2019/C 295/112)

Language of the case: English

Parties

Applicant: Asolo LTD (Limassol, Cyprus) (represented by: W. Pors, lawyer)

Defendant: European Union Intellectual Property Office (EUIPO)

Other party to the proceedings before the Board of Appeal: Red Bull GmbH (Fuschl am See, Austria)

Details of the proceedings before EUIPO

Proprietor of the trade mark at issue: Applicant before the General Court

Trade mark at issue: European Union word mark FLÜGEL — European Union trade mark No 637 686

Procedure before EUIPO: Cancellation proceedings

Contested decision: Decision of the Fourth Board of Appeal of EUIPO of 15 May 2019 in Case R 201/2019-4

Form of order sought

The applicant claims that the Court should:

- annul the contested decision;
- dismiss the application for a declaration of invalidity;
- order EUIPO and Red Bull to pay the costs of these proceedings.

Pleas in law

- Infringement of Article 70(2) of Regulation (EU) 2017/1001 of the European Parliament and of the Council;
- Infringement of Article 94(1) of Regulation (EU) 2017/1001 of the European Parliament and of the Council;
- Infringement of Article 60(1)(a) in conjunction with Article 8(5) of Regulation (EU) 2017/1001 of the European Parliament and of the Council.

Action brought on 18 July 2019 — Del Valle Ruiz and Others v SRB

(Case T-512/19)

(2019/C 295/113)

Language of the case: Spanish

Parties

Applicants: Antonio Del Valle Ruiz (Mexico City, Mexico) and 36 other applicants (represented by: P. Rubio Escobar and B. Fernández García, lawyers)

Defendant: Single Resolution Board

Form of order sought

The applicants claim that the General Court should:

- annul the Decision (SRB/CM01/ARES (2018) 3664981) of the Single Resolution Board of 20 May 2019 agreeing not to draw up the definitive valuation report provided for in Article 20.11 of Regulation (EU) No 806/2014 in the context of the resolution of Banco Popular and, consequently, order the Single Resolution Board to draw up that definitive valuation report in accordance with the applicable legislation;
- additionally, in accordance with Articles 133 and 134 of the Rules of Procedure of the General Court, order the defendant and the parties intervening in full or partial support of the form of order sought by it to pay the costs.

Pleas in law and main arguments

In support of their action, the applicants invoke five pleas in law.

1. First plea, alleging failure to state or failure sufficiently to state the reasons on which the measure is based and, consequently, infringement of Articles 41 and 47 of the Charter of Fundamental Rights of the European Union ('the Charter').
2. Second plea, alleging infringement of Article 20.11 of Regulation (EU) No 806/2014, ⁽¹⁾ in so far as the defendant states that the definitive valuation report on Banco Popular provided for in that provision will not be drawn up.
3. Third plea, alleging infringement of the principle of sound administration provided for under Article 41 of the Charter, in so far as the Single Resolution Board deviated from the opinion of an independent expert on the need to draw up the definitive valuation report without substantiating its decision with any scientific or economic arguments.
4. Fourth plea, alleging infringement of the right to an effective legal remedy and rights of defence and, consequently, infringement of Article 2 TFEU, Article 47 of the Charter and Article 24 of the Spanish Constitution.
5. Fifth plea, alleging infringement of recital 24 of Regulation No 806/2014 and failure to comply with the '*Meroni*' case-law, in so far as, first, the defendant has not been delegated the power to decide at its discretion whether or not it is appropriate to issue the definitive valuation report, and, secondly, and in any event, a decision such as the decision contested in the present action should have been overseen by the European Commission.

⁽¹⁾ Regulation (EU) No 806/2014 of the European Parliament and of the Council of 15 July 2014 establishing uniform rules and a uniform procedure for the resolution of credit institutions and certain investment firms in the framework of a Single Resolution Mechanism and a Single Resolution Fund and amending Regulation (EU) No 1093/2010 (OJ 2014 L 225, p. 1).

Order of the General Court of 21 June 2019 — Ardigo and UO v Commission**(Case T-615/17) ⁽¹⁾**

(2019/C 295/114)

Language of the case: French

The President of the First Chamber has ordered that the case be removed from the register.

⁽¹⁾ OJ C 382, 13.11.2017.

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