

Order of the Court of First Instance of 25 November 2008
— **Fastweb v Commission**

(Case T-188/07) ⁽¹⁾

(State aid — Subsidised purchase of digital decoders — Telecommunications — Commission decision declaring the aid to be incompatible with the common market — Decision adopted in the course of the present proceedings by the Member State not to effect recovery of the aid from the company which contested the Commission's decision in annulment proceedings — No longer any interest in bringing proceedings — No need to adjudicate)

(2009/C 32/66)

Language of the case: Italian

Parties

Applicant: Fastweb SpA (Milan, Italy) (represented by: M. Merola and T. Ubaldi, lawyers)

Defendant: Commission of the European Communities (represented by: B. Martenczuk, G. Conte and E. Righini, Agents)

Interveners in support of the defendant: Sky Italia Srl (Rome, Italy) (represented by: F. González Díaz and D. Gerard, lawyers); and Centro Europa 7 Srl (Rome) (represented by: R. Mastroianni, F. Ferraro and M. Condinanzi, lawyers)

Re:

Application for annulment of Commission Decision 2007/374/EC of 24 January 2007 on State aid C 52/2005 (ex NN 88/2005, ex CP 101/2004) implemented by the Italian Republic for the subsidised purchase of digital decoders (OJ 2007 L 147, p. 1).

Operative part of the order

1. *There is no longer any need to adjudicate on the present action.*
2. *Each party shall bear its own costs.*

⁽¹⁾ OJ C 170 of 21.7.2007.

Order of the Court of First Instance of 8 October 2008 —
Koinotita Grammatikou v Commission

(Case T-13/08) ⁽¹⁾

(Action for annulment — Cohesion Funds — Lack of direct concern — Inadmissibility)

(2009/C 32/67)

Language of the case: Greek

Parties

Applicant: Koinotita Grammatikou (Greece) (represented by: M Chaintarlis and A. Papakonstantinou, lawyers)

Defendant: Commission of the European Communities (represented by: D. Triantafyllou and L. Flynn, Agents)

Re:

Annulment of Commission Decision C(2004) 5509 of 21 December 2004 relating to the grant of assistance from the Cohesion Fund for the project 'Construction of a Landfill Site at the Integrated Waste Management Facility of North-East Attica at the location "Mavro Vouno Grammatikou".'

Operative part of the order

1. *The action is dismissed as inadmissible.*
2. *Koinotita Grammatikou is ordered to pay the costs.*

⁽¹⁾ OJ C 79, 29.3.2008.

Order of the Judge hearing the application for Interim measures of 19 November 2008 — AEPI v Commission

(Case T-392/08 R)

(Interim measures — Decision of the Commission ordering cessation of a concerted practice in connection with the collective management of author's rights — Application for stay of execution — Lack of urgency)

(2009/C 32/68)

Language of the case: Greek

Parties

Applicant: AEPI Elliniki Etaireia pros Prostatian tis Pnevmatikis Idioktisias AE (Athens, Greece) (represented by: P. Xanthopoulos and T. Asprogerakas Grivas, lawyers)

Defendant: Commission of the European Communities (represented by: T. Christoforou and F. Castillo de la Torre, acting as Agents)