

**Judgment of the Court (Third Chamber) of 11 July 2013 —
Gosselin Group NV v European Commission, Stichting
Administratiekantoor Portielje**

(Case C-429/11 P) ⁽¹⁾

(Appeal — Competition — Agreements, decisions and concerted practices — Article 81 EC and Article 53 of the EEA Agreement — International removal services market in Belgium — Direct or indirect fixing of prices, market-sharing and the manipulation of the procedure for the submission of tenders — Classification — Infringement of competition by object — Obligation to state reasons — Guidelines on the effect on trade between Member States — Legal force — Obligation to define the relevant market — Scope — Guidelines on the method of setting fines (2006) — Proportion of the value of sales — Gravity of the infringement — Mitigating circumstances — Obligation to state reasons — Regulation (EC) No 1/2003 — Article 25 — Limitation period — Repeated infringement)

(2013/C 252/11)

Language of the case: Dutch

Parties

Appellant: Gosselin Group NV (represented by: F. Wijckmans, H. Burez and S. De Keer, advocaten)

Other party to the proceedings: European Commission (represented by: A. Bouquet, F. Ronkes Agerbeek, Agents), Stichting Administratiekantoor Portielje

Re:

Appeal brought against the judgment of the General Court (Eighth Chamber) of 16 June 2011 in Case T-208/08 *Gosselin Group v Commission* and Case T-209/08 *Stichting Administratiekantoor Portielje*, by which the General Court, in Case T-208/08, annulled Commission Decision C(2008) 926 final of 11 March 2008 relating to a proceeding under Article 81 [EC] and Article 53 of the EEA Agreement (Case COMP/38.543 — International Removal Services), in so far as that decision finds that Gosselin Group NV participated in an infringement of Article 81(1) EC from 30 October 1993 to 14 November 1996 and, in Case T-209/08, annulled Decision C(2008) 926, as amended by Decision C(2009) 5810, in so far as it relates to Stichting Administratiekantoor Portielje

Operative part of the judgment

The Court:

1. Dismisses the appeal;
2. Orders Gosselin Group NV to pay the costs.

⁽¹⁾ OJ C 331, 12.11.2011.

**Judgment of the Court (Third Chamber) of 11 July 2013 —
Ziegler SA v European Commission**

(Case C-439/11 P) ⁽¹⁾

(Appeal — Competition — Agreements, decisions and concerted practices — Article 81 EC and Article 53 of the EEA Agreement — International removal services market in Belgium — Guidelines on the effect on trade between Member States — Legal status — Requirement to define the relevant market — Scope — Right to fair legal process — Principle of good administration — Objective impartiality on the part of the Commission — Guidelines on the method of setting fines (2006) — Proportion of the value of sales — Obligation to state reasons — Fine reduced on grounds of inability to pay or the special circumstances of the case — Equal treatment)

(2013/C 252/12)

Language of the case: French

Parties

Appellant: Ziegler SA (represented by: J.-F. Bellis, M. Favart and A. Bailleux, avocats)

Other parties to the proceedings: European Commission (represented by: A. Bouquet and N. von Lingen, Agents)

Re:

Appeal brought against the judgment of the General Court (Eighth Chamber) of 16 June 2011 in Case T-199/08 *Ziegler v Commission*, by which that court dismissed the action for annulment of Commission Decision C(2008) 926 final of 11 March 2008, relating to a proceeding under Article 81 [EC] and Article 53 of the EEA Agreement (Case COMP/38.543 — International removal services) — Competition — Agreements, decisions and concerted practices — Errors in law — Appreciable effect on trade between Member States — Fine — Infringement of the right to fair legal process and the principle of equality and non-discrimination

Operative part of the judgment

The Court:

1. Dismisses the appeal;
2. Orders Ziegler SA to pay the costs.

⁽¹⁾ OJ C 347, 26.11.2011.