

V

(Announcements)

COURT PROCEEDINGS

COURT OF JUSTICE

Judgment of the Court (Grand Chamber) of 26 November 2013 — Gascogne Sack Deutschland GmbH, formerly Sachsa Verpackung GmbH v European Commission

(Case C-40/12 P) ⁽¹⁾

(Appeal — Competition — Cartels — Industrial plastic bags sector — Whether the infringement by a subsidiary may be attributed to the parent company — Excessive length of the proceedings before the General Court — Principle of effective legal protection)

(2014/C 39/02)

Language of the case: French

Parties

Appellant: Gascogne Sack Deutschland GmbH, formerly Sachsa Verpackung GmbH (represented by: F. Puel and L. François-Martin, avocats)

Other party to the proceedings: European Commission (represented by: F. Castillo de la Torre and N. von Lingen, Agents)

Re:

Appeal brought against the judgment of the General Court (Fourth Chamber) of 16 November 2011 in Case T-79/06 *Sachsa Verpackung v Commission*, by which that court dismissed the application for annulment in part of Commission Decision C(2005) 4634 final of 30 November 2005 relating to a proceeding under Article 81 (EC) (Case COMP/38.354 — Industrial bags) concerning a cartel in the industrial plastic bags sector and an application to vary that decision.

Operative part of the judgment*The Court:*

1. *Dismisses the appeal;*
2. *Orders Gascogne Sack Deutschland GmbH to pay the costs of this appeal.*

⁽¹⁾ OJ C 89, 24.3.2012.

Judgment of the Court (Grand Chamber) of 26 November 2013 — Kendrion NV v European Commission

(Case C-50/12 P) ⁽¹⁾

(Appeal — Competition — Cartels — Industrial plastic bags sector — Whether the infringement by a subsidiary may be attributed to the parent company — Joint and several liability of the parent company for the payment of the fine imposed on the subsidiary — Excessive length of the proceedings before the General Court — Principle of effective legal protection)

(2014/C 39/03)

Language of the case: Dutch

Parties

Appellant: Kendrion NV (represented by: P. Glazener and T. Ottervanger, advocaten)

Other party to the proceedings: European Commission (represented by: F. Castillo de la Torre and S. Noë, Agents)

Re:

Appeal brought against the judgment of the General Court (Fourth Chamber) of 16 November 2011 in Case T-54/06 *Kendrion v Commission*, by which the General Court dismissed an application for annulment of Commission Decision C(2005) 4634 of 30 November 2005 relating to a proceeding pursuant to Article 81 (EC) (Case COMP/F/38.354 — Industrial bags), in so far as it is addressed to Kendrion, concerning a cartel in the industrial plastic bags sector, and application for annulment or, in the alternative, reduction of the fine imposed on Kendrion.

Operative part of the judgment*The Court:*

1. *Dismisses the appeal;*