



## Reports of Cases

### Order of the Vice-President of the Court of 18 October 2016 — EMA v Pari Pharma

(Case C-406/16 P(R))

(Appeal — Order for interim measures — Suspension of operation of a measure challenged before the General Court — Change in circumstances — Access to documents — Regulation (EC) No 1049/2001 — Documents held by the European Medicines Agency (EMA) submitted as part of an application for authorisation to place a medicinal product on the market — Decision to grant a third party access to the documents)

*Application for interim measures — Suspension of operation of a measure — Interim measures — Conditions for granting — Urgency — Serious and irreparable damage — Decision of the European Medicines Agency granting a third party access to information submitted by an undertaking in the context of its application for authorisation to market a medicinal product — Grant of interim measures by the EU judiciary — Subsequent conclusion of an agreement between the applicant and the third party on the non-disclosure of information — Interim measures which have become devoid of purpose — Annulment (Arts 278 TFEU and 279 TFEU; Rules of Procedure of the General Court, Art. 160) (see paras 55-61)*

#### Operative part

1. The order of the President of the General Court of the European Union of 23 May 2016, *Pari Pharma v EMA* (T-235/15 R, not published, EU:T:2016:309), is set aside.
2. The order of the President of the General Court of the European Union of 1 September 2015, *Pari Pharma v EMA* (T-235/15 R, EU:T:2015:587), is cancelled.
3. Pari Pharma GmbH is to pay the costs incurred in the appeal proceedings and in the proceedings at first instance.