

GENERAL COURT

Action brought on 27 June 2016 — Dimos Athinaion v Commission

(Case T-360/16)

(2016/C 371/10)

Language of the case: Greek

Parties

Applicant: Dimos Athinaion (Athens, Greece) (represented by: G. Georgakarakos, lawyer)

Defendant: European Commission

Form of order sought

The applicant claims that the General Court should:

- annul Commission Regulation (EU) 2016/646 of 20 April 2016, amending Regulation (EC) No 692/2008 as regards emissions from light passenger and commercial vehicles (Euro 6), ⁽¹⁾ and
- order the Commission to pay the costs.

Pleas in law and main arguments

In support of the action the applicant relies on three pleas in law:

1. The first plea in law claims an infringement of Article 191 TFEU, which sets out the objectives of the European Union policy on the environment.
2. The second plea in law claims an infringement of Article 37 of the Charter of Fundamental Rights of the European Union which affirms the right to a high level of environmental protection.
3. The third plea in law claims an infringement of Article 15 of Regulation (EC) No 715/2007 of the European Parliament and of the Council of 20 June 2007 on type approval of motor vehicles with respect to emissions from light passenger and commercial vehicles (Euro 5 and Euro 6) and on access to vehicle repair and maintenance information. ⁽²⁾

⁽¹⁾ OJ L 109, 2016, p. 1.

⁽²⁾ OJ L 171, 2007, p. 1.

Action brought on 12 July 2016 — Anheuser-Busch Inbev and Ampar v Commission

(Case T-370/16)

(2016/C 371/11)

Language of the case: English

Parties

Applicants: Anheuser-Busch Inbev (Brussels, Belgium) and Ampar (Leuven, Belgium) (represented by: A. von Bonin, O. Brouwer and A. Haelterman, lawyers)

Defendant: European Commission

Form of order sought

The applicants claim that the Court should:

- annul the decision of the European Commission of 11 January 2016 on the excess profit exemption state aid scheme SA.37667 (2015/C) (ex 2015/NN);
- order the Commission to pay the Applicants' costs pursuant to Article 134 of the Rules of Procedure of the General Court, including the costs of any intervening parties.

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 an error of law and a manifest error of assessment in the identification of the alleged state aid measure and its classification as an aid scheme within the meaning of Article 1(d) of Regulation 2015/1589 of 13 July 2015 laying down detailed rules for the application of Article 108 of the Treaty on the Functioning of the European Union and Article 107 TFUE.
2. Second plea in law, alleging an error in law and misapplication of Article 107(1) TFUE in holding that the Excess Profits Adjustments system constitutes State aid.
3. Third plea in law, alleging a manifest error of assessment in identifying the groups as beneficiaries of the alleged aid and violation of the principle of legality and Article 16(1) of Council Regulation (EU) 2015/1589 of 13 July 2015 laying down detailed rules for the application of Article 108 of the Treaty on the Functioning of the European Union.
4. Fourth plea in law, alleging a violation of the principles of legal certainty, protection of legitimate expectations and sound administration.

Action brought on 25 July 2016 — CK Telecoms UK Investments v Commission**(Case T-399/16)**

(2016/C 371/12)

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

Applicant: CK Telecoms UK Investments Ltd (London, United Kingdom) (represented by: T. Wessely and O. Brouwer, lawyers, and A. Woods, J. Aitken and M. Davis, Solicitors)

Defendant: European Commission

Form of order sought

The applicant claims that the Court should:

- annul the decision of the European Commission of 11 May 2016, C (2016) 2796 in case COMP/M.7612 — Hutchison 3G UK Investments Limited/Telefónica (Europe plc), notified to Hutchison on 13 May 2016 declaring the proposed acquisition of Telefónica Europe plc by Hutchison incompatible with the internal market and the EEA Agreement pursuant to Article 8(3) of Council Regulation No 139/2004 in its entirety; and
- order the Commission to pay the costs of the proceedings, including those related to any potential intervener.