

JUDGMENT OF THE COURT OF FIRST INSTANCE**of 14 October 2004****in Case T-56/02: Bayerische Hypo- und Vereinsbank AG v Commission of the European Communities ⁽¹⁾****(Competition — Article 81 EC — Price-fixing agreement and ways of charging for currency exchange services — Germany — Procedure in default)**

(2004/C 314/35)

(Language of the case: German)

In Case T-56/02: Bayerische Hypo- und Vereinsbank AG, established in Munich (Germany), represented by W. Knapp, T. Müller-Ibold and B. Bergmann, lawyers, with an address for service in Luxembourg, against Commission of the European Communities — application for annulment of Commission Decision 2003/25/EC of 11 December 2001 relating to a proceeding under Article 81 of the EC Treaty — (Case COMP/E — 1/37.919 (ex 37.391) — Bank charges for exchanging euro-zone currencies — Germany) (OJ 2003 L 15, p. 1) — the Court of First Instance (Fifth Chamber), composed of P. Lindh, President, R. García-Valdecasas and J.D. Cooke, Judges; H. Jung, Registrar, has given a judgment on 14 October 2004, in which it:

1. *Annuls Commission Decision 2003/25/EC of 11 December 2001 relating to a proceeding under Article 81 of the EC Treaty (Case COMP/E — 1/37.919 (ex 37.391) — Bank charges for exchanging euro-zone currencies — Germany) in so far as it concerns the applicant;*
2. *Orders the Commission to pay the costs.*

⁽¹⁾ OJ C 109 of 4.5.2002.

JUDGMENT OF THE COURT OF FIRST INSTANCE**of 14 October 2004****in Case T-60/02: Deutsche Verkehrsbank AG v Commission of the European Communities ⁽¹⁾****(Competition — Article 81 EC — Price-fixing agreement and ways of charging for currency exchange services — Germany — Procedure in default)**

(2004/C 314/36)

(Language of the case: German)

In Case T-60/02: Deutsche Verkehrsbank AG, established in Frankfurt am Main (Germany), represented by M. Klusmann

and by F. Wiemer, lawyers, with an address for service in Luxembourg, against Commission of the European Communities — application for annulment of Commission Decision 2003/25/EC of 11 December 2001 relating to a proceeding under Article 81 of the EC Treaty — (Case COMP/E — 1/37.919 (ex 37.391) — Bank charges for exchanging euro-zone currencies — Germany) (OJ 2003 L 15, p. 1) — the Court of First Instance (Fifth Chamber), composed of P. Lindh, President, R. García-Valdecasas and J.D. Cooke, Judges; H. Jung, for the Registrar, has given a judgment on 14 October 2004, in which it:

1. *Annuls Commission Decision 2003/25/EC of 11 December 2001 relating to a proceeding under Article 81 of the EC Treaty (Case COMP/E — 1/37.919 (ex 37.391) — Bank charges for exchanging euro-zone currencies — Germany) in so far as it concerns the applicant;*
2. *Orders the Commission to pay the costs.*

⁽¹⁾ OJ C 109 of 4.5.2002.

JUDGMENT OF THE COURT OF FIRST INSTANCE**of 14 October 2004****in Case T-61/02: Commerzbank AG v Commission of the European Communities ⁽¹⁾****(Competition — Article 81 EC — Price-fixing agreement and ways of charging for currency exchange services — Germany — Procedure in default)**

(2004/C 314/37)

(Language of the case: German)

In Case T-61/02: Commerzbank AG, established in Frankfurt am Main (Germany), represented by H. Satzky, lawyers, with an address for service in Luxembourg, against Commission of the European Communities — application for annulment of Commission Decision 2003/25/EC of 11 December 2001 relating to a proceeding under Article 81 of the EC Treaty — (Case COMP/E — 1/37.919 (ex 37.391) — Bank charges for exchanging euro-zone currencies — Germany) (OJ 2003 L 15, p. 1) — the Court of First Instance (Fifth Chamber), composed of P. Lindh, President, R. García-Valdecasas and J.D. Cooke, Judges; H. Jung, Registrar, has given a judgment on 14 October 2004, in which it: