

Judgment of the General Court of 12 April 2013 — Irish Music Rights Organisation v Commission

(Case T-415/08) ⁽¹⁾

(Competition — Agreements, decisions and concerted practices — Copyright relating to public performance of musical works via the internet, satellite and cable retransmission — Decision finding an infringement of Article 81 EC — Sharing of the geographic market — Bilateral agreements between national collecting societies — Concerted practices precluding the possibility of granting multi-territory and multi-repertoire licences — Proof — Presumption of innocence)

(2013/C 156/51)

Language of the case: English

Parties

Applicant: Irish Music Rights Organisation Ltd (Dublin, Ireland) (represented by: D. Collins, Solicitor, and M. Favart, lawyer)

Defendant: European Commission (represented by: F. Castillo de la Torre and J. Bourke, acting as Agents)

Interveners in support of the applicant: International Confederation of Societies of Authors and Composers (CISAC) (Neuilly-sur-Seine, France) (represented by J.-F. Bellis and K. Van Hove, lawyers); and European Broadcasting Union (EBU) (Grand-Saconnex, Switzerland) (represented by D. Slater, Solicitor, and D. Waelbroeck, lawyer)

Re:

Application for annulment in part of Commission Decision C(2008) 3435 final of 16 July 2008 relating to a proceeding under Article 81 [EC] and Article 53 of the EEA Agreement (Case COMP/C2/38.698 — CISAC).

Operative part of the judgment

The Court:

1. Annuls Article 3 of Commission Decision C(2008) 3435 final of 16 July 2008 relating to a proceeding under Article 81 [EC] and Article 53 of the EEA Agreement (Case COMP/C2/38.698 — CISAC), in so far as it concerns Irish Music Rights Organisation Ltd;
2. Dismisses the remainder of the action;
3. Orders the European Commission to pay the costs.

⁽¹⁾ OJ C 313, 6.12.2008.

Judgment of the General Court of 12 April 2013 — Eesti Autorite Ühing v Commission

(Case T-416/08) ⁽¹⁾

(Competition — Agreements, decisions and concerted practices — Copyright relating to public performance of musical works via the internet, satellite and cable retransmission — Decision finding an infringement of Article 81 EC — Sharing of the geographic market — Bilateral agreements between national collecting societies — Concerted practices precluding the possibility of granting multi-territory and multi-repertoire licences — Proof — Presumption of innocence)

(2013/C 156/52)

Language of the case: English

Parties

Applicant: Eesti Autorite Ühing (Tallin, Estonia) (represented by: M. Favart, lawyer)

Defendant: European Commission (represented by: F. Castillo de la Torre and A. Biolan, acting as Agents)

Interveners in support of the applicant: International Confederation of Societies of Authors and Composers (CISAC) (Neuilly-sur-Seine, France) (represented by J.-F. Bellis and K. Van Hove, lawyers); and European Broadcasting Union (EBU) (Grand-Saconnex, Switzerland) (represented by D. Waelbroeck, lawyer, and D. Slater, Solicitor)

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