

GENERAL COURT

Judgment of the General Court of 12 December 2014 — Hansen & Rosenthal and H & R Wax Company Vertrieb v Commission

(Case T-544/08) ⁽¹⁾

(Competition — Agreements — Paraffin waxes market — Decision finding an infringement of Article 81 EC — Price fixing — Proof of the infringement — 2006 Guidelines for calculating the amount of fines — Rights of the defence — Calculation of the value of sales — Gravity of the infringement — No retroactivity — Equal treatment — Proportionality)

(2015/C 046/44)

Language of the case: German

Parties

Applicants: Hansen & Rosenthal KG (Hamburg, Germany); and H & R Wax Company Vertrieb GmbH (Hamburg) (represented by: J. Schulte, A. Lober and M. Dallmann, lawyers)

Defendant: European Commission (represented by: A. Antoniadis and R. Sauer, Agents)

Re:

Primarily, application for annulment of Commission Decision C (2008) 5476 final of 1 October 2008 relating to a proceeding under Article 81 of the EC Treaty and Article 53 of the EEA Agreement (Case COMP/39.181 — Candle Waxes), in that it concerns the applicants, and, in the alternative, an application for a reduction of the amount of the fine imposed on them.

Operative part of the judgment

The Court:

- 1) *Dismisses the action;*
- 2) *Orders Hansen & Rosenthal KG and H & R Wax Company Vertrieb GmbH to bear their own costs and those incurred by the European Commission.*

⁽¹⁾ OJ C 55, 7.3.2009.

Judgment of the General Court of 12 December 2014 — Tudapetrol Mineralölerzeugnisse Nils Hansen v Commission

(Case T-550/08) ⁽¹⁾

(Competition — Agreements — Paraffin waxes market — Coordination and price increases — Price fixing — 2006 Guidelines for calculating the amount of fines — Rights of the defence — Proof of the infringement — Limitation)

(2015/C 046/45)

Language of the case: German

Parties

Applicant: Tudapetrol Mineralölerzeugnisse Nils Hansen KG (Hamburg, Germany) (represented by: U. Itzen, J. Ziebarth, lawyers, and S. Thomas, professor)

Defendant: European Commission (represented by: A. Antoniadis and R. Sauer, Agents)