

## GENERAL COURT

### Judgment of the General Court of 15 July 2015 — GEA Group v Commission

(Case T-45/10) <sup>(1)</sup>

*(Competition — Agreements, decisions and concerted practices — European market for ESBO/esters heat stabilisers — Decision finding an infringement of Article 81 EC and Article 53 of the EEA Agreement — Price fixing, market allocation and exchange of commercially sensitive information — Fines — Attribution of the infringement — Shareholding presumption — Duration and proof of the infringement — Limitation period — Duration of the administrative procedure — Reasonable time — Rights of the defence)*

(2015/C 302/38)

Language of the case: German

#### Parties

*Applicant:* GEA Group AG (Düsseldorf, Germany) (represented by: A. Kallmayer, I. du Mont, G. Schiffers and R. Van der Hout, lawyers)

*Defendant:* European Commission (represented by: R. Sauer and F. Ronkes Agerbeek, acting as Agents, and W. Berg, lawyer)

#### Re:

Application for annulment of Commission Decision C(2009) 8682 final of 11 November 2009 relating to a proceeding under Article 81 EC and Article 53 of the EEA Agreement (Case COMP/C38.589 — Heat stabilisers), or, in the alternative, a reduction in the fine imposed.

#### Operative part of the judgment

*The Court:*

1. *Dismisses the action;*
2. *Orders GEA Group AG to pay the costs.*

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<sup>(1)</sup> OJ C 100, 17.4.2010.

### Judgment of the General Court of 15 July 2015 — Akzo Nobel and Others v Commission

(Case T-47/10) <sup>(1)</sup>

*(Competition — Agreements, decisions and concerted practices — European markets in heat stabilisers — Decision finding two infringements of Article 81 EC and Article 53 of the EEA Agreement — Price fixing, market allocation and exchange of commercially sensitive information — Duration of the infringements — Limitation period — Duration of the administrative procedure — Reasonable time — Rights of the defence — Attribution of the infringements — Infringements committed by the subsidiaries, by a partnership without legal personality of its own and by a subsidiary — Calculation of the amount of the fines)*

(2015/C 302/39)

Language of the case: English

#### Parties

*Applicants:* Akzo Nobel NV (Amsterdam, Netherlands); Akzo Nobel Chemicals GmbH (Düren, Germany); Akzo Nobel Chemicals BV (Amersfoort, Netherlands); and Akcros Chemicals Ltd (Warwickshire, United Kingdom) (represented initially by C. Swaak and M. van der Woude, and subsequently by Mr Swaak and R. Wesseling, lawyers)

*Defendant:* European Commission (represented initially by F. Ronkes Agerbeek and J. Bourke, and subsequently by Mr Ronkes Agerbeek and P. Van Nuffel, acting as Agents, and J. Holmes, Barrister)