

*Defendant:* Council of the European Union (represented by: J. Bauerschmidt and K. Pavlaki, acting as Agents)

*Interveners in support of the applicant:* Kingdom of Belgium (represented by: C. Pochet, L. Van den Broeck and M. Jacobs, acting as Agents), Kingdom of the Netherlands (represented by: M. Bulterman, M.H.S. Gijzen and J. Langer, acting as Agents), Republic of Finland (represented by: M. Pere, acting as Agent), Kingdom of Sweden (represented by: C. Meyer-Seitz and R. Shahsavani Eriksson, acting as Agents)

**Re:**

By his action under Article 263 TFEU, the applicant seeks the annulment of Decision SGS 21/000067 of the Council of the European Union of 14 January 2021, by which the Council refused him access to certain documents, coded 'WK', exchanged within the Council working groups in the context of legislative procedure 2016/0107 (COD), concerning the amendment of Directive 2013/34/EU of the European Parliament and of the Council of 26 June 2013 on the annual financial statements, consolidated financial statements and related reports of certain types of undertakings, amending Directive 2006/43/EC of the European Parliament and of the Council and repealing Council Directives 78/660/EEC and 83/349/EEC (OJ 2013 L 182, p. 19).

**Operative part of the judgment**

The Court:

1. Annuls Decision SGS 21/000067 of the Council of the European Union of 14 January 2021;
2. Orders the Council to bear its own costs and to pay those incurred by Mr Emilio De Capitani;
3. Orders the Kingdom of Belgium, the Kingdom of the Netherlands, the Republic of Finland and the Kingdom of Sweden to bear their own costs.

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(<sup>1</sup>) OJ C 206, 31.5.2021.

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**Judgment of the General Court of 18 January 2023 — Neratax v EUIPO — Intrum Hellas and Others (ELLO ERMOL, Ello creamy, ELLO, MORFAT Creamy and MORFAT)**

(Case T-528/21) (<sup>1</sup>)

*(EU trade mark — Invalidity proceedings — EU word marks ELLO and MORFAT and EU figurative marks ELLO ERMOL, Ello creamy and MORFAT Creamy — Absolute ground for invalidity — Bad faith — Article 52(1)(b) of Regulation (EC) No 207/2009 (now Article 59(1)(b) of Regulation (EU) 2017/1001))*

(2023/C 94/36)

*Language of the case: English*

**Parties**

*Applicant:* Neratax LTD (Nicosia, Cyprus) (represented by: V. Katsavos, lawyer)

*Defendant:* European Union Intellectual Property Office (represented by: E. Markakis, acting as Agent)

*Other party, intervener before the General Court:* Intrum Hellas AE Daicheirisis Apaitiseon Apo Daneia kai Pistoseis, formerly Piraeus Bank SA (Athens, Greece) (represented by: P.-A. Koriatopoulou, lawyer)

*Other parties to the proceedings before the Board of Appeal of EUIPO:* Eurobank Ergasias SA (Athens), National Bank of Greece SA (Athens)

**Re:**

By its action under Article 263 TFEU, the applicant seeks the annulment of the decisions of the Fourth Board of Appeal of the European Union Intellectual Property Office (EUIPO) of 23 June 2021 (Cases R 1295/2020-4, R 1296/2020-4, R 1298/2020-4, R 1299/2020-4 and R 1302/2020-4).

**Operative part of the judgment**

The Court:

1. Dismisses the action;
2. Orders Neratax LTD to bear its own costs and to pay those incurred by the European Union Intellectual Property Office (EUIPO) and Intrum Hellas AE Daicheirisis Apatiseon Apo Daneia kai Pistoseis.

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<sup>(1)</sup> OJ C 462, 15.11.2021.

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**Judgment of the General Court of 25 January 2023 — Società Navigazione Siciliana v Commission**

(Case T-666/21) <sup>(1)</sup>

*(State aid — Maritime transport — Exemption in part from registration duties payable for the transfer of business between undertakings — Decision declaring the aid to be illegal and incompatible with the internal market and ordering its recovery — Advantage — Recipient of the aid — Service of general economic interest — Obligation to state reasons — Non-contractual liability — Excessive length of the procedure)*

(2023/C 94/37)

Language of the case: Italian

**Parties**

*Applicant:* Società Navigazione Siciliana SCpA (Trapani, Italy) (represented by: R. Nazzini, F. Ruggeri Laderchi, C. Labruna and L. Calini, lawyers)

*Defendant:* European Commission (represented by: G. Braga da Cruz, C.-M. Carrega and D. Recchia, acting as Agents)

**Re:**

By its action, the applicant seeks, first, under Article 263 TFEU, the annulment in part of Commission Decision C(2021) 4268 final of 17 June 2021 on the measures SA.32014, SA.32015, SA.32016 (2011/C) (ex 2011/NN) implemented by Italy for Siremar and its acquirer Società Navigazione Siciliana, in so far as the Commission declared incompatible certain tax exemptions provided for by Law No 163 of 1 October 2010 converting Decree-Law No 125 of 5 August 2010 and ordered their recovery, and, secondly, under Article 268 TFEU, compensation for damage that the applicant claims to have suffered from the excessive and unreasonable length of the formal investigation procedure.

**Operative part of the judgment**

The Court:

1. Dismisses the action;
2. Orders Società Navigazione Siciliana SCpA to pay the costs.

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<sup>(1)</sup> OJ C 2, 3.1.2022.