



Newsletter

Week XLIII - XLIV: 21st October to 1st November 2024

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Week XLIII: 21st to 25th October

Tuesday 22nd October

[Judgment in Case C-652/22 Kolin İnşaat Turizm Sanayi ve Ticaret](#)

(Freedom of establishment – Freedom to provide services)

A Croatian contracting entity launched a procedure for the award of a public contract for the construction of railway infrastructure linking two towns in Croatia. Kolin İnşaat Turizm Sanayi ve Ticaret, a company established in Turkey, challenged the legality of the decision by virtue of which another tenderer was selected.

The Administrative Court of Appeal, Croatia asks the Court of Justice to clarify the circumstances in which, after the deadline for submission of tenders has expired, contracting authorities may request tenderers to make corrections or clarifications. Before this clarification, however, the Court must first adjudicate upon two issues of law that regard the admissibility of the reference. Are economic operators established in non-EU countries, with which the European Union has no public procurement agreement, entitled to participate in procedures for the award of public contracts in the European Union? If so, can the Member States determine the conditions under which those operators may do so or is that exclusively a matter for the European Union to decide?

[Background Documents C-652/22](#)

There will be a press release for this case.

Thursday 24th October

[Judgment in Case C-227/23 Kwantum Nederland et Kwantum België](#)

(Intellectual, industrial and commercial property)

Vitra, a Swiss designer furniture company, owns the intellectual property rights to chairs designed by the American couple Charles and Ray Eames. In particular, Vitra manufactures the Dining Sidechair Wood, which was designed as part of a furniture design competition launched by the Museum of Modern Art in New York (USA) and

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In May 2009, the Commission imposed a fine of €1.06 billion on Intel, a US-based microprocessor manufacturer (Commission Decision of 13 May 2009 relating to a proceeding under Article 82 of the EC Treaty and Article 54 of the EEA Agreement (Case COMP/C-3/37.990 — Intel – see [summary](#))). Intel was accused of abusing its dominant position on the x86 CPU market in breach of EU competition rules.

In 2014, the General Court dismissed Intel's action against the Commission's decision in its entirety ([T-286/09](#), see also [press release No 82/14](#)).

On appeal by Intel, the Court of Justice set aside that judgment and referred the case back to the General Court for reconsideration ([C-413/14 P](#), see also [press release No 90/17](#)).

After re-examination, the General Court partially annulled the Commission's decision and annulled the €1.06 billion fine in its entirety. The Commission has lodged the present appeal against the judgment of the General Court of 2022 ([T-286/09 RENV](#), see also [press release No 16/22](#)).

[Background Documents C-240/22 P](#)

There will be a press release for this case.

Week XLIV: 28th October to 1st November

The Court is in All Saints recess from Monday 28th October to Sunday 3rd November.

SAVE THE DATE - IRELAND

Thursday 21st November

WHAT: Breakfast Press Talk – Reporting the CJEU

WHERE: European Public Space, Europe House, 12-14 Lower Mount Street, Dublin

WHEN: 21st November starting 0930

The Press Office of the Court of Justice of the EU will be organising a Breakfast Talk for the Press in Dublin on the 21st of November.

Jacques Zammit, the Press Attaché responsible for the English Desk, will be giving an informal briefing on the workings of the Court and of the services that are available to help better “report the Court”. Join me for a chat over coffee and morning bites while we will discuss what the Court does and what tools are available to be better informed

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about what is happening in Luxembourg. By the end of the morning, reporting the Court will be a piece of cake (or croissant).

Although the Breakfast Talk is aimed at members of the press, other parties interested in learning how the CJEU works or following it regularly are welcome to attend.

Reserve a place by mailing: Press.ENDesk@curia.europa.eu

HEARINGS OF NOTE*

Information Note concerning streaming on the Curia website

Please note the following [new conditions](#) for streaming on the website including the new length of availability of the video recordings:

In order to facilitate public access to its judicial activity, the Court of Justice of the European Union offers a system for broadcasting hearings.

The delivery of judgments of the Court of Justice and the reading of opinions of the Advocate Generals are broadcast live on [this page](#). Broadcasting will be enabled at the start of the hearing, at the time indicated in the [judicial calendar](#).

Certain hearings of the Court of Justice involving oral pleadings are, however, broadcast with a delay. This concerns, as a rule, hearings in cases referred to the full Court, to the Grand Chamber, or, exceptionally, where this is justified by the importance of the case, to a Chamber of five Judges. The video recordings of those hearings will remain available on this website for a maximum period of one month after the close of the hearing.

Court of Justice

Monday 21st October 2024: 14:30 – [Case C-524/23 Commission v Belgique \(Directive 2016/1164 – Double imposition\)](#) (State Aid)

Thursday 24th October: 09:30 – [Joined Cases C-281/23 and C-282/23 Polskie sieci elektroenergetyczne and Others v ACER](#) (Energy)

General Court

Monday 21st October 2024: 14:30 and Tuesday 22nd October 2024: 09:30 – Case [T-625/22 Austria v Commission](#) (Environment)

* This is a non-exhaustive list and does not include all the hearings over the next two weeks.

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