



**COUNCIL OF
THE EUROPEAN UNION**

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INFORMATION NOTE

from: Council Legal Service
to: COREPER (2nd part)
Subject: Case before the General Court of the European Union
Case T-643/11 (Crown Equipment (Suzhou) Co. Ltd. and Crown Gabelstapler GmbH & Co. KG v. Council)

1. By an application notified to the Council on 19 January 2012, the above-mentioned companies have brought an action for annulment, pursuant to Article 263 TFEU, of Council Implementing Regulation (EU) No 1008/2011 of 10 October 2011¹ imposing a definitive anti-dumping duty on imports of hand pallet trucks and their essential parts originating in the People's Republic of China as extended to imports of hand pallet trucks and their essential parts consigned from Thailand, whether declared as originating in Thailand or not, following an expiry review pursuant to Article 11(2) of Regulation (EC) No 1225/2009.
2. In support of the action, the applicants rely on the following three pleas in law:
 - violation of the applicants' rights of defence in so far as the Council ignored parts of the applicants' submissions;

¹ OJ L 268 of 13.10.2011, p. 1.

- infringement of Articles 11(2), 3(2), (6) and (7) of Council Regulation (EC) No 1225/2009² in so far as the defendant based its injury and causation findings on several errors in fact ;
 - infringement of Articles 11(2) and 3(2), (6) and (7) of Council Regulation (EC) No 1225/2009 or of Article 296(2) TFEU in so far as the defendant based its injury and causation findings on manifest errors of assessment of failed to provide sufficient reasons.
3. In accordance with Article 46(1) of the Rules of Procedure of the Court, the Council has to lodge its statement of defence within two months of receipt of the notification of the application. The Director-General of the Council Legal Service has appointed Mr. Jan-Peter Hix, member of the Legal Service, as the Council's agent in this case. He is assisted by Mr. Georg M. Berrisch and Ms Agnieszka Polcyn (Covington & Burling in Brussels).

² OJ L 343 du 22.12.2009, p. 51.