Reports of Cases

ORDER OF THE COURT (Fifth Chamber)

28 April 2016*

((Rectification of a judgment)

In Case C-603/13 P-REC,

APPEAL under Article 56 of the Statute of the Court of Justice of the European Union, brought on 22 November 2013,

Galp Energía España SA, established in Alcobendas (Spain),

Petróleos de Portugal (Petrogal) SA, established in Lisbon (Portugal),

Galp Energía SGPS SA, established in Lisbon,

represented by M. Slotboom, advocaat, and G. Gentil Anastácio, advogado,

appellants,

the other party to the proceedings being:

European Commission, represented by C. Urraca Caviedes and F. Castillo de la Torre, acting as Agents, and by J. Rivas Andrés, avocat, and G. Eclair-Heath, Solicitor,

defendant at first instance,

THE COURT (Fifth Chamber),

composed of T. von Danwitz, President of the Fourth Chamber, acting as President of the Fifth Chamber, K. Lenaerts, President of the Court, acting as a Judge of the Fifth Chamber, D. Šváby (Rapporteur), A. Rosas and C. Vajda, Judges,

Advocate General: N. Jääskinen,

Registrar: A. Calot Escobar,

after hearing the Advocate General,

makes the following

* Language of the case: English.

Order

1 On 21 January 2016, the Court (Fifth Chamber) delivered the judgment in *Galp Energía España and Others* v *Commission* (C-603/13 P, EU:C:2016:38).

2 That judgment contains, in its English-language version, a typographical error which it is appropriate for the Court to rectify of its own motion pursuant to Article 154(1) of its Rules of Procedure, which applies to the procedure on appeal under Article 190(1) thereof.

On those grounds, the Court (Fifth Chamber) hereby orders:

1. **Paragraph 72 of the judgment of 21 January 2016 in *Galp Energía España and Others* v *Commission* (C-603/13 P, EU:C:2016:38) must be rectified as follows:**

   'In that regard, as the Court has stated on many occasions, the scope of judicial review provided for in Article 263 TFEU extends to all the elements of Commission decisions relating to proceedings applying Articles 101 TFEU and 102 TFEU which are subject to in-depth review by the General Court, in law and in fact, in the light of the pleas raised by the appellants (see, to that effect, judgments in *KME Germany and Others* v *Commission*, C-272/09 P, EU:C:2011:810, paragraphs 102 and 109; *Chalkor* v *Commission*, C-386/10 P, EU:C:2011:815, paragraphs 62 and 82; and *Telefónica and Telefónica de España* v *Commission*, C-295/12 P, EU:C:2014:2062, paragraphs 56 and 59) and taking into account all the elements submitted by the latter, whether those elements pre-date or post-date the contested decision, whether they were submitted previously in the context of the administrative procedure or, for the first time, in the context of the proceedings before the General Court, in so far as those elements are relevant to the review of the legality of the Commission decision (see, to that effect, judgment in *Knauf Gips* v *Commission*, C-407/08 P, EU:C:2010:389, paragraphs 87 to 92).'

2. **The original of this order shall be annexed to the original of the rectified judgment. A note of this order shall be made in the margin of the original of the rectified judgment.**

[Signatures]