Judgment of the Court of First Instance (Third Chamber) of 19 July 2007 — FG Marine v Commission

(Case T-360/04)

Non-contractual liability — Decision ordering repayment of State aid granted by France to the company Stardust Marine — Annulment of the decision by judgment of the Court

1. *Procedure — Application initiating proceedings — Formal requirements (Statute of the Court of Justice, Arts 21, first para., and 53, first para.; Rules of Procedure of the Court of First Instance, Art. 44(1)(c)) (see paras 33, 34)*

2. *Non-contractual liability — Conditions — Cumulative nature — Damage — Causal link — Burden of proof (Arts 235 EC and 288, second para., EC) (see paras 40, 41, 50-53)*

Re:

CLAIM for compensation for loss allegedly caused by Commission Decision 2000/513/EC of 8 September 1999 on aid granted by France to the company Stardust Marine.

Operative part

The Court:

1. Dismisses the action as unfounded;

2. Orders the applicant to pay the costs.