

## **C — Statistics concerning the judicial activity of the Court of First Instance**

### ***General activity of the Court of First Instance***

1. New cases, completed cases, cases pending (2004–08)

### ***New cases***

2. Nature of proceedings (2004–08)
3. Type of action (2004–08)
4. Subject matter of the action (2004–08)

### ***Completed cases***

5. Nature of proceedings (2004–08)
6. Subject matter of the action (2008)
7. Subject matter of the action (2004–08) (judgments and orders)
8. Bench hearing action (2004–08)
9. Duration of proceedings in months (2004–08) (judgments and orders)

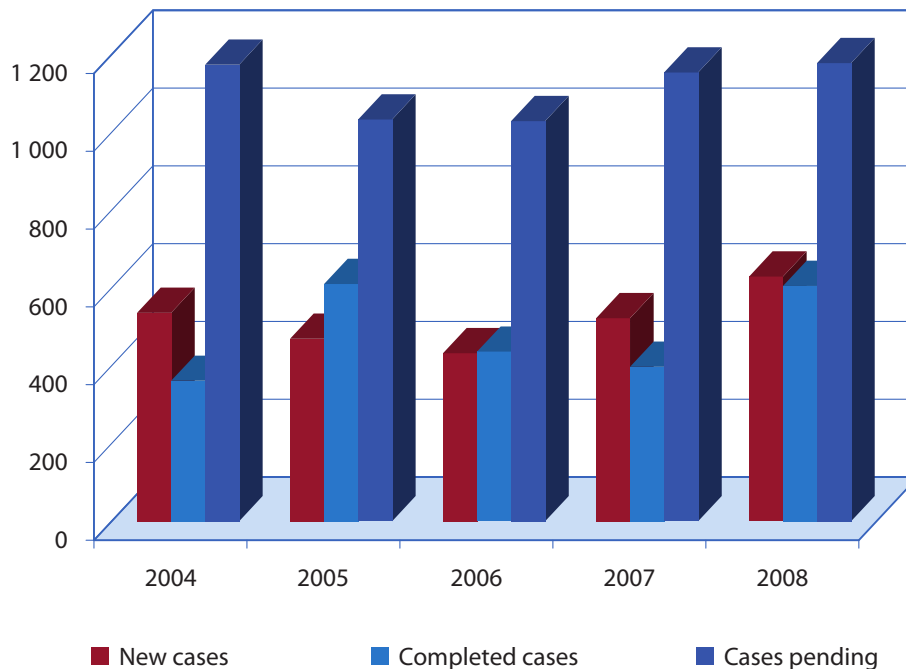
### ***Cases pending as at 31 December***

10. Nature of proceedings (2004–08)
11. Subject matter of the action (2004–08)
12. Bench hearing action (2004–08)

### ***Miscellaneous***

13. Proceedings for interim measures (2004–08)
14. Expedited procedures (2004–08)
15. Appeals against decisions of the Court of First Instance to the Court of Justice (1989–2008)
16. Distribution of appeals before the Court of Justice according to the nature of the proceedings (2004–08)
17. Results of appeals before the Court of Justice (2008) (judgments and orders)
18. Results of appeals before the Court of Justice (2004–08) (judgments and orders)
19. General trend (1989–2008) (new cases, completed cases, cases pending)

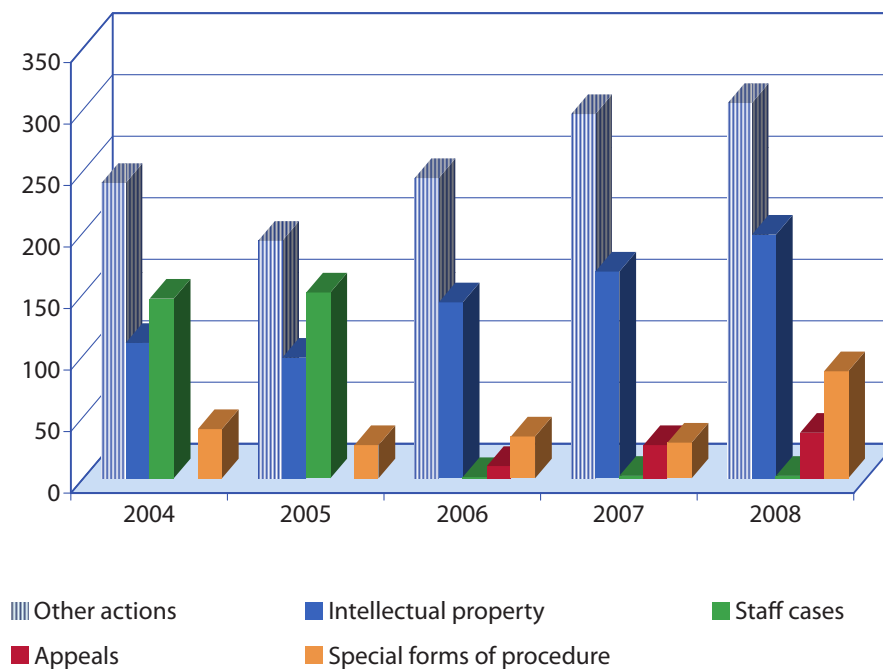
**1. General activity of the Court of First Instance — New cases, completed cases, cases pending (2004–08) <sup>(1)</sup>**



	2004	2005	2006	2007	2008
New cases	536	469	432	522	629
Completed cases	361	610	436	397	605
Cases pending	1 174	1 033	1 029	1 154	1 178

<sup>(1)</sup> Unless otherwise indicated, this table and the following tables take account of special forms of procedure. The following are considered to be 'special forms of procedure': application to set a judgment aside (Article 41 of the Statute of the Court of Justice; Article 122 of the Rules of Procedure of the Court of First Instance); third-party proceedings (Article 42 of the Statute of the Court of Justice; Article 123 of the Rules of Procedure); revision of a judgment (Article 44 of the Statute of the Court of Justice; Article 125 of the Rules of Procedure); interpretation of a judgment (Article 43 of the Statute of the Court of Justice; Article 129 of the Rules of Procedure); taxation of costs (Article 92 of the Rules of Procedure); legal aid (Article 96 of the Rules of Procedure), and rectification of a judgment (Article 84 of the Rules of Procedure).

## 2. New cases — Nature of proceedings (2004–08) <sup>(1)</sup>

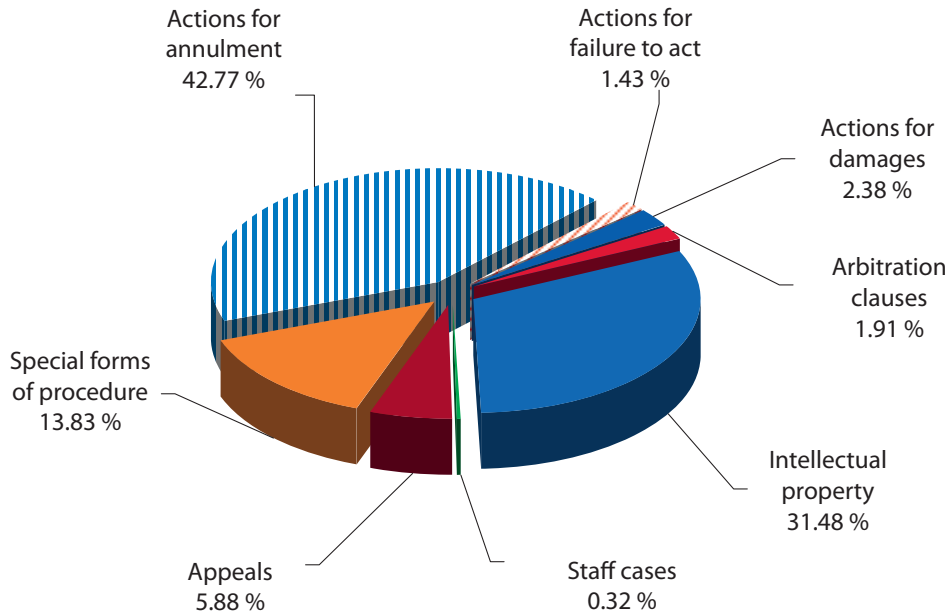


	2004	2005	2006	2007	2008
Other actions	240	193	244	296	305
Intellectual property	110	98	143	168	198
Staff cases	146	151	1	2	2
Appeals			10	27	37
Special forms of procedure	40	27	34	29	87
<b>Total</b>	<b>536</b>	<b>469</b>	<b>432</b>	<b>522</b>	<b>629</b>

(<sup>1</sup>) The entry 'other actions' in this and the following tables refers to all direct actions other than actions brought by officials of the European Communities and intellectual property cases.

### 3. New cases — Type of action (2004–08)

Distribution in 2008

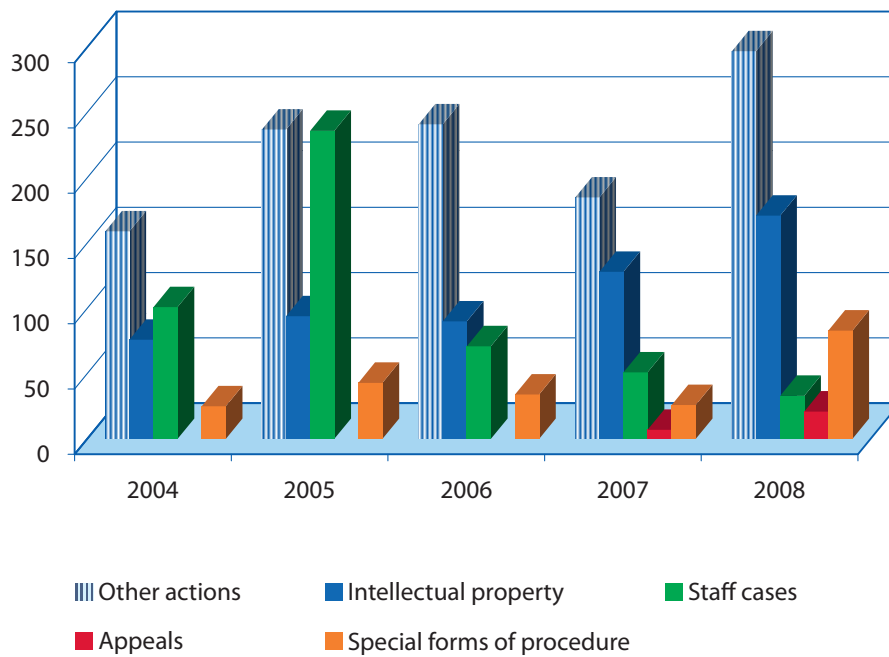


	2004	2005	2006	2007	2008
Actions for annulment	199	160	223	249	269
Actions for failure to act	15	9	4	12	9
Actions for damages	18	16	8	27	15
Arbitration clauses	8	8	9	8	12
Intellectual property	110	98	143	168	198
Staff cases	146	151	1	2	2
Appeals			10	27	37
Special forms of procedure	40	27	34	29	87
<b>Total</b>	<b>536</b>	<b>469</b>	<b>432</b>	<b>522</b>	<b>629</b>

#### 4. New cases — Subject matter of the action (2004–08)

	2004	2005	2006	2007	2008
Accession of new States	1				
Agriculture	25	21	18	34	14
Approximation of laws	1			1	
Arbitration clause		2	3	1	12
Budget of the Communities				2	
Commercial policy	12	5	18	9	10
Common Customs Tariff	1		2	1	
Common foreign and security policy	4		5	12	6
Community own resources		2			
Company law	6	12	11	10	30
Competition	36	40	81	62	71
Culture			3	1	2
Customs union	11	2		4	1
Economic and monetary policy		1	2		
Energy			1		
Environment and consumers	30	18	21	41	14
External relations	3	2	2	1	2
Fisheries policy	3	2		5	23
Free movement of goods	1			1	1
Freedom of establishment	1				1
Freedom of movement for persons	1	2	4	4	1
Freedom to provide services			1		3
Intellectual property	110	98	145	168	198
Justice and home affairs		1		3	3
Law governing the institutions	33	28	15	28	43
Regional policy	10	12	16	18	7
Research, information, education and statistics	6	9	5	10	1
Social policy	5	9	3	5	3
State aid	46	25	28	37	55
Taxation			1	2	
Transport	3		1	4	1
<b>Total EC Treaty</b>	<b>349</b>	<b>291</b>	<b>386</b>	<b>464</b>	<b>502</b>
<b>Total CS Treaty</b>					<b>1</b>
<b>Total EA Treaty</b>	<b>1</b>		<b>1</b>		
Staff Regulations	146	151	11	29	39
Special forms of procedure	40	27	34	29	87
<b>OVERALL TOTAL</b>	<b>536</b>	<b>469</b>	<b>432</b>	<b>522</b>	<b>629</b>

### 5. Completed cases — Nature of proceedings (2004–08)



	2004	2005	2006	2007	2008
Other actions	159	237	241	185	297
Intellectual property	76	94	90	128	171
Staff cases	101	236	71	51	33
Appeals				7	21
Special forms of procedure	25	43	34	26	83
<b>Total</b>	<b>361</b>	<b>610</b>	<b>436</b>	<b>397</b>	<b>605</b>

## 6. Completed cases — Subject matter of the action (2008)

	Judgments	Orders	Total
Agriculture	17	21	38
Approximation of laws		1	1
Arbitration clause	1	2	3
Commercial policy	6	6	12
Common Customs Tariff		3	3
Common foreign and security policy	4	2	6
Company law	10	14	24
Competition	14	17	31
Culture	1	1	2
Customs union	2	1	3
Economic and monetary policy		1	1
Environment and consumers	1	27	28
External relations	1	1	2
Fisheries policy	1	3	4
Free movement of goods		2	2
Freedom of establishment		1	1
Freedom of movement for persons		2	2
Intellectual property	121	50	171
Justice and home affairs		1	1
Law governing the institutions	11	25	36
Regional policy	7	35	42
Research, information, education and statistics	3	7	10
Social policy	3		3
State aid	23	14	37
Taxation		2	2
Transport		3	3
<b>Total EC Treaty</b>	<b>226</b>	<b>242</b>	<b>468</b>
Staff Regulations	33	21	54
Special forms of procedure		83	83
<b>OVERALL TOTAL</b>	<b>259</b>	<b>346</b>	<b>605</b>

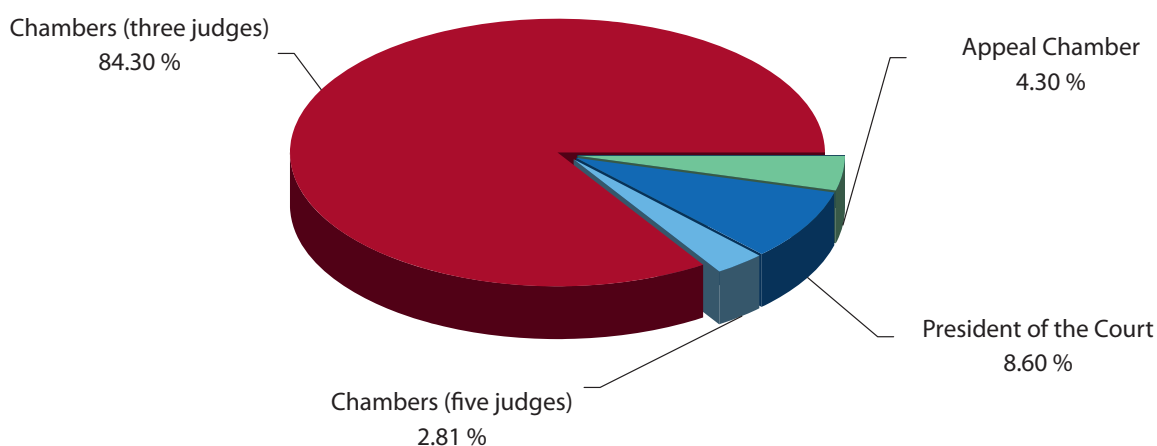
## 7. Completed cases — Subject matter of the action (2004–08) (judgments and orders)

	2004	2005	2006	2007	2008
Accession of new States			1		
Agriculture	15	34	25	11	38
Approximation of laws	3			1	1
Arbitration clause	2	1		1	3
Association of the Overseas Countries and Territories		4	2		
Budget of the Communities				1	
Commercial policy	1	7	13	4	12
Common Customs Tariff				1	3
Common foreign and security policy	2	5	4	3	6
Community own resources			2		
Company law	2	6	6	6	24
Competition	26	35	42	38	31
Culture					2
Customs union	3	7	2	2	3
Economic and monetary policy			1	1	1
Energy			3	1	
Environment and consumers	4	19	19	15	28
External relations	7	11	5	4	2
Fisheries policy	6	2	24	4	4
Free movement of goods	1	1			2
Freedom of establishment		1			1
Freedom of movement for persons	2	1	4	4	2
Freedom to provide services				1	
Intellectual property	76	94	91	129	171
Justice and home affairs		1		2	1
Law governing the institutions	16	35	14	17	36
Regional policy	4	4	7	6	42
Research, information, education and statistics		1	3	10	10
Social policy	4	6	5	3	3
State aid	54	53	54	36	37
Taxation	1		1		2
Transport	1	1	2	1	3
<b>Total EC Treaty</b>	<b>230</b>	<b>329</b>	<b>330</b>	<b>302</b>	<b>468</b>
<b>Total CS Treaty</b>	<b>5</b>	<b>1</b>	<b>1</b>	<b>10</b>	
<b>Total EA Treaty</b>		<b>1</b>		<b>1</b>	
Staff Regulations	101	236	71	58	54
Special forms of procedure	25	43	34	26	83
<b>OVERALL TOTAL</b>	<b>361</b>	<b>610</b>	<b>436</b>	<b>397</b>	<b>605</b>



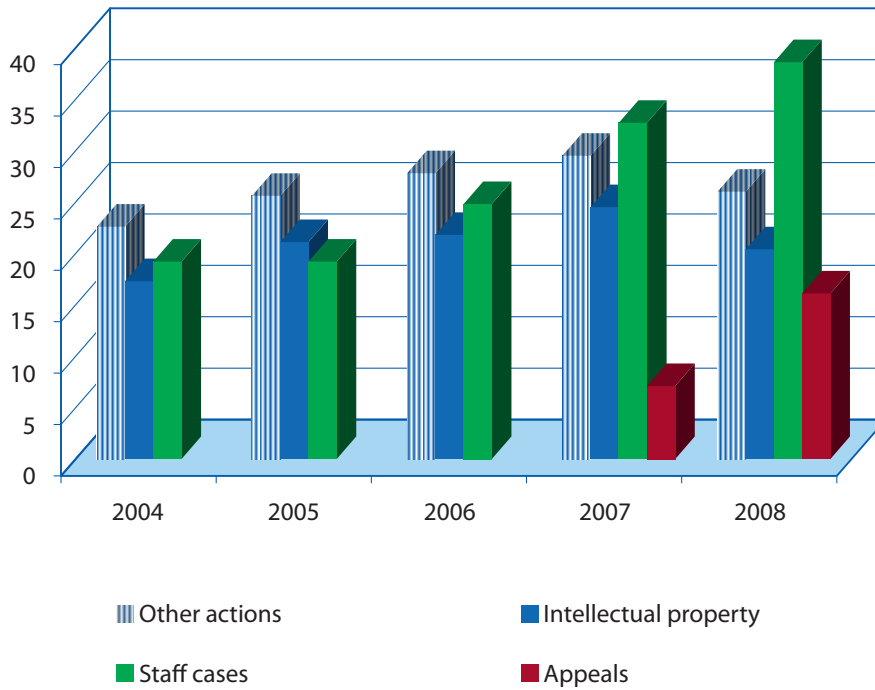
## 8. Completed cases — Bench hearing action (2004–08)

Distribution in 2008



	2004			2005			2006			2007			2008		
	Judgments	Orders	Total	Judgments	Orders	Total	Judgments	Orders	Total	Judgments	Orders	Total	Judgments	Orders	Total
Grand Chamber				6		6				2		2			
Appeal Chamber										3	4	7	16	10	26
President of the Court		7	7	25	25		19	19		16	16		52	52	
Chambers (five judges)	18	46	64	28	34	62	22	33	55	44	8	52	15	2	17
Chambers (three judges)	141	135	276	181	329	510	198	157	355	196	122	318	228	282	510
Single judge	13	1	14	7		7	7		7	2		2			
<b>Total</b>	<b>172</b>	<b>189</b>	<b>361</b>	<b>222</b>	<b>388</b>	<b>610</b>	<b>227</b>	<b>209</b>	<b>436</b>	<b>247</b>	<b>150</b>	<b>397</b>	<b>259</b>	<b>346</b>	<b>605</b>

**9. Completed cases — Duration of proceedings in months (2004–08) <sup>(1)</sup>**  
*(judgments and orders)*

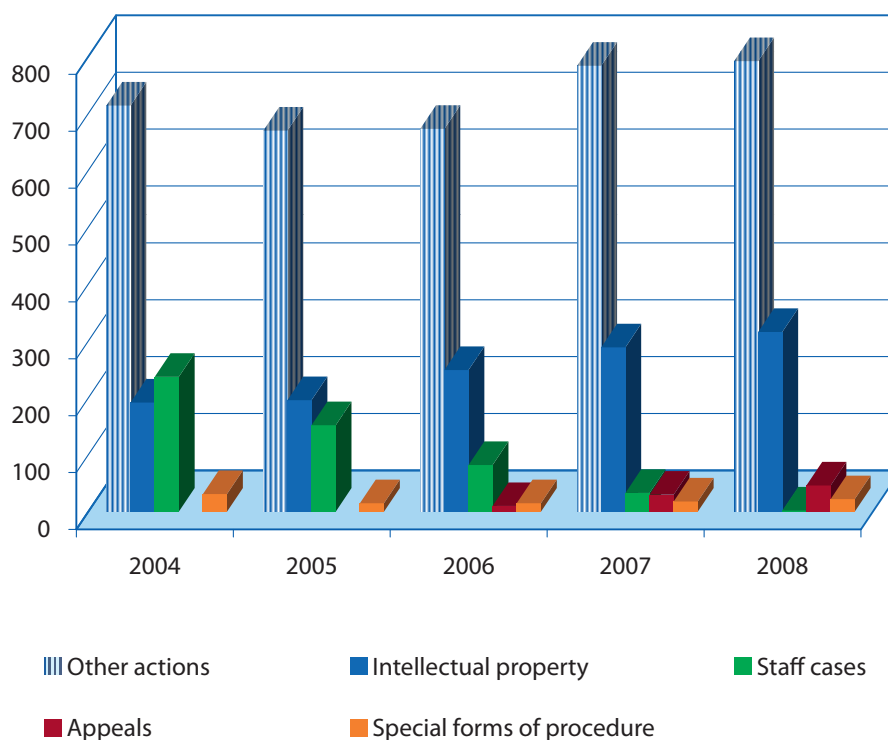


	2004	2005	2006	2007	2008
Other actions	22.6	25.6	27.8	29.5	26.0
Intellectual property	17.3	21.1	21.8	24.5	20.4
Staff cases	19.2	19.2	24.8	32.7	38.6
Appeals				7.1	16.1

<sup>(1)</sup> The calculation of the average duration of proceedings does not take account of: cases ruled upon by interlocutory judgment; special forms of procedure; cases referred by the Court of Justice following the amendment of the division of jurisdiction between it and the Court of First Instance; cases referred by the Court of First Instance after the Civil Service Tribunal began operating.

The duration of proceedings is expressed in months and tenths of months.

## 10. Cases pending as at 31 December — Nature of proceedings (2004–08)



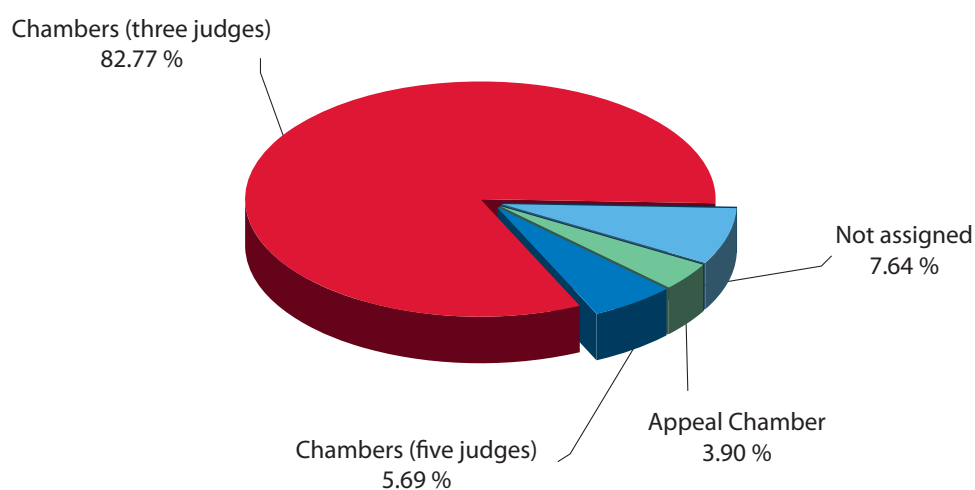
	2004	2005	2006	2007	2008
Other actions	714	670	673	784	792
Intellectual property	192	196	249	289	316
Staff cases	237	152	82	33	2
Appeals			10	30	46
Special forms of procedure	31	15	15	18	22
<b>Total</b>	<b>1 174</b>	<b>1 033</b>	<b>1 029</b>	<b>1 154</b>	<b>1 178</b>

## 11. Cases pending as at 31 December — Subject matter of the action (2004–08)

	2004	2005	2006	2007	2008
Accession of new States	1	1			
Agriculture	95	82	74	97	73
Approximation of laws	1	1	1	1	
Arbitration clause		1	3	3	12
Association of the Overseas Countries and Territories	6	2			
Budget of the Communities				1	1
Commercial policy	25	23	28	33	31
Common Customs Tariff	1	1	3	3	
Common foreign and security policy	13	8	9	18	18
Community own resources		2			
Company law	10	16	23	27	33
Competition	129	134	173	197	236
Culture			3	4	4
Customs union	18	13	11	13	11
Economic and monetary policy		1	2	1	
Energy	4	4	2	1	1
Environment and consumers	44	43	44	70	56
External relations	18	9	6	3	3
Fisheries policy	28	28	4	5	24
Free movement of goods	1			1	
Freedom of establishment	1				
Freedom of movement for persons	1	2	3	3	2
Freedom to provide services			1		3
Intellectual property	193	197	251	290	317
Justice and home affairs				1	3
Law governing the institutions	49	42	43	54	61
Regional policy	19	27	36	48	13
Research, information, education and statistics	8	16	18	18	9
Social policy	6	9	7	9	9
State aid	218	190	164	165	184
Taxation				2	
Transport	3	2	1	4	2
<b>Total EC Treaty</b>	<b>892</b>	<b>854</b>	<b>910</b>	<b>1072</b>	<b>1106</b>
<b>Total CS Treaty</b>	<b>12</b>	<b>11</b>	<b>10</b>		<b>1</b>
<b>Total EA Treaty</b>	<b>2</b>	<b>1</b>	<b>2</b>	<b>1</b>	<b>1</b>
Staff Regulations	237	152	92	63	48
Special forms of procedure	31	15	15	18	22
<b>OVERALL TOTAL</b>	<b>1174</b>	<b>1033</b>	<b>1029</b>	<b>1154</b>	<b>1178</b>

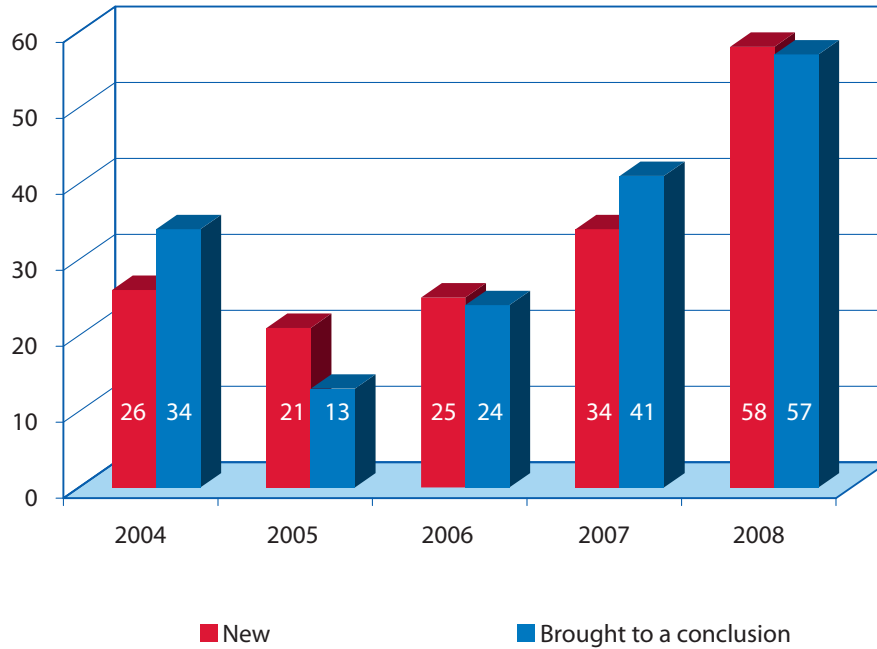
## 12. Cases pending as at 31 December — Bench hearing action (2004–08)

Distribution in 2008



	2004	2005	2006	2007	2008
Grand Chamber	6	1	2		
Appeal Chamber			10	30	46
President of the Court			1		
Chambers (five judges)	187	146	117	75	67
Chambers (three judges)	914	846	825	971	975
Single judge	1	4	2		
Not assigned	66	36	72	78	90
<b>Total</b>	<b>1 174</b>	<b>1 033</b>	<b>1 029</b>	<b>1 154</b>	<b>1 178</b>

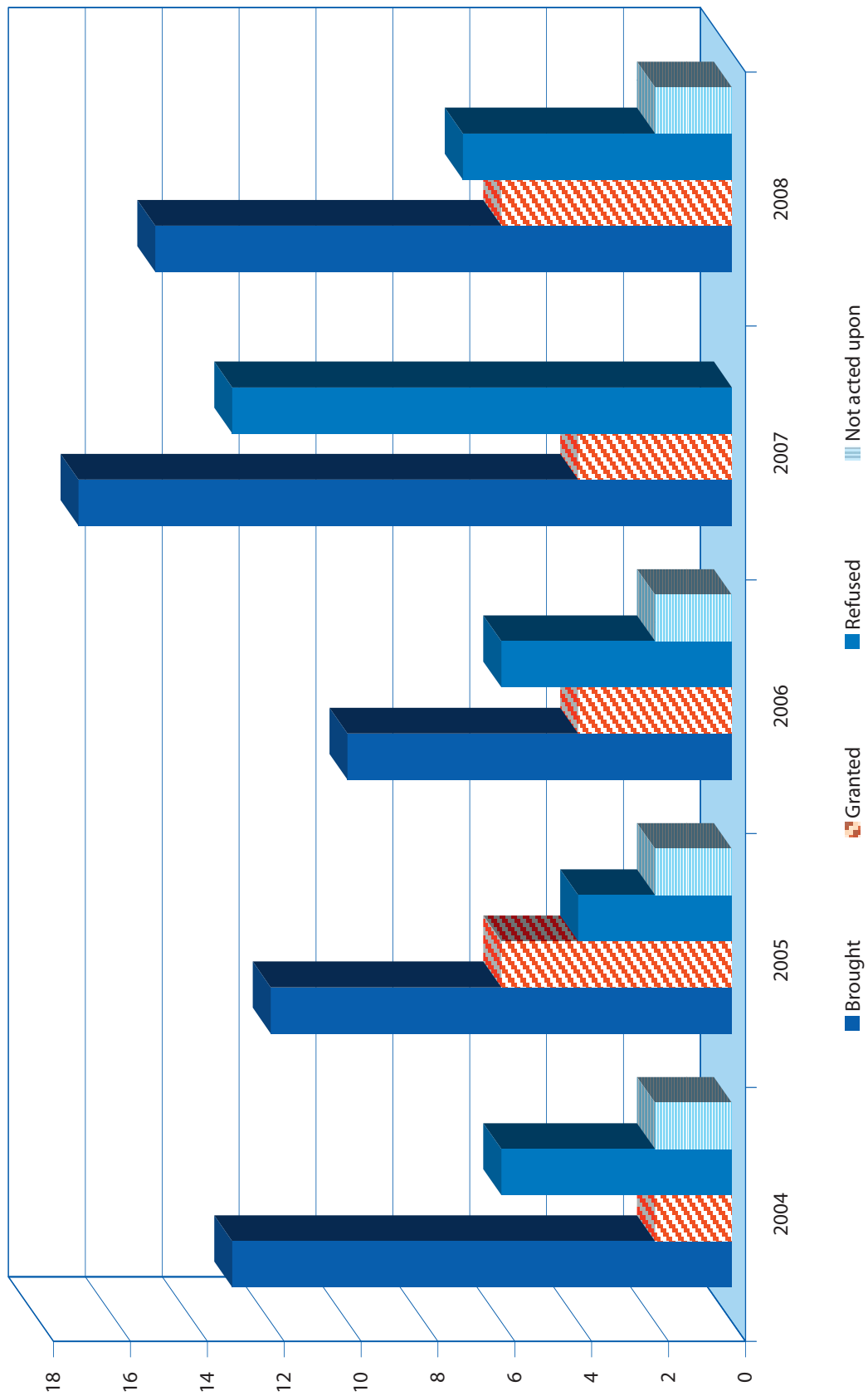
### 13. *Miscellaneous* — Proceedings for interim measures (2004–08)



#### Distribution in 2008

	New applications for interim measures	Applications for interim measures brought to a conclusion	Outcome		
			Dismissed	Granted	Removal from the register/ no need to adjudicate
Agriculture	1	1		1	
State aid	22	22	6		16
Competition	13	10	10		
Company law	13	12	12		
Law governing the institutions	1	2	1		1
Environment and consumers	1	2	2		
Fisheries policy	1	1			1
Common foreign and security policy	3	3	3		
Social policy	2	2	2		
Intellectual property		1	1		
Transport	1	1	1		
<b>Total EC Treaty</b>	<b>58</b>	<b>57</b>	<b>38</b>	<b>1</b>	<b>18</b>
<b>OVERALL TOTAL</b>	<b>58</b>	<b>57</b>	<b>38</b>	<b>1</b>	<b>18</b>

**14. Miscellaneous — Expedited procedures (2004–08)**



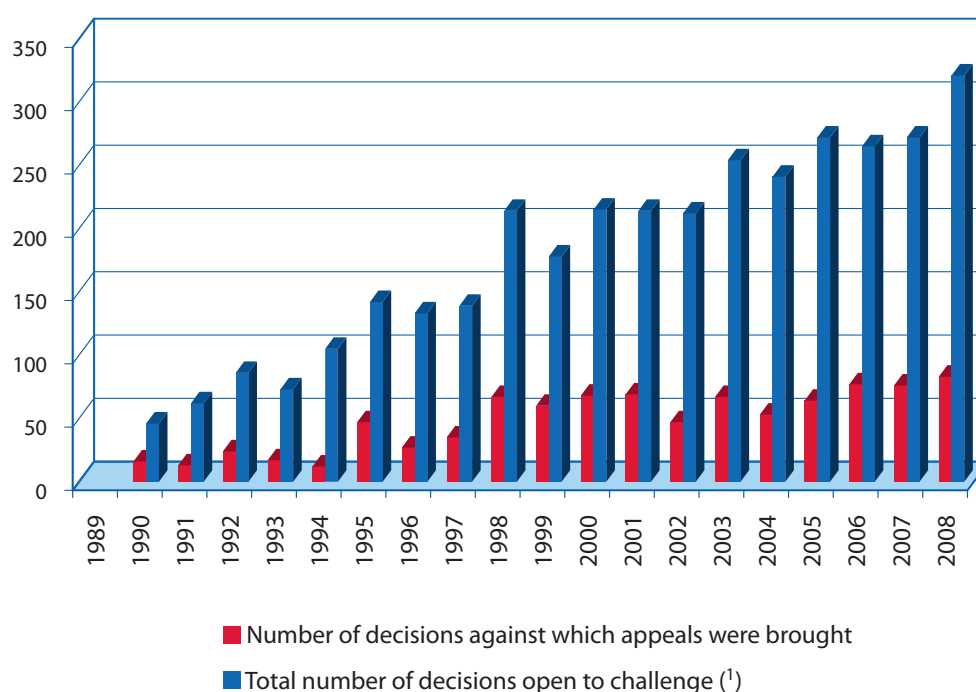
	2004			2005			2006			2007			2008								
	Brought	Outcome		Brought	Outcome		Brought	Outcome		Brought	Outcome		Brought	Outcome							
		Granted	Refused		Not acted upon	Granted		Refused	Not acted upon		Granted	Refused		Not acted upon	Granted	Refused	Not acted upon				
Agriculture				2			2	1	3				1								
State aid							1			1	2		1	1							
Arbitration clause													1		1						
Competition	3			2	3	2	4	2	2	1	1		1	1							
Company law	4	1	2	3	2	1	1			1			3	1	3						
Law governing the institutions	1	2		1	1					1	1		3	2	1						
Environment and consumers	1	1		2	1		3	1	1	7	1	7									
Freedom of movement for persons	1																				
Commercial policy										2	1			1							
Fisheries policy	1	1																			
Common foreign and security policy										3	2	1	4	4							
Research, information, education and statistics										1	1										
Community own resources				2					2												
Staff Regulations	1	1											1								
Transport	1																				
<b>Total</b>	<b>13</b>	<b>2</b>	<b>6</b>	<b>2</b>	<b>12</b>	<b>6</b>	<b>4</b>	<b>4</b>	<b>2</b>	<b>10</b>	<b>4</b>	<b>6</b>	<b>2</b>	<b>17</b>	<b>4</b>	<b>13</b>	<b>0</b>	<b>15</b>	<b>6</b>	<b>7</b>	<b>2</b>

The Court of First Instance may decide pursuant to Article 76a of the Rules of Procedure to deal with a case before it under an expedited procedure. That provision has been applicable since 1 February 2001.

The category 'Not acted upon' covers the following instances: withdrawal of the application for expedition, discontinuance of the action and cases in which the action is disposed of by way of order before the application for expedition has been ruled upon.



## 15. *Miscellaneous* — Appeals against decisions of the Court of First Instance to the Court of Justice (1989–2008)



	Number of decisions against which appeals were brought	Total number of decisions open to challenge <sup>(1)</sup>	Percentage of decisions against which appeals were brought
<b>1989</b>			
<b>1990</b>	16	46	35 %
<b>1991</b>	13	62	21 %
<b>1992</b>	24	86	28 %
<b>1993</b>	17	73	23 %
<b>1994</b>	12	105	11 %
<b>1995</b>	47	142	33 %
<b>1996</b>	27	133	20 %
<b>1997</b>	35	139	25 %
<b>1998</b>	67	214	31 %
<b>1999</b>	60	178	34 %
<b>2000</b>	68	215	32 %
<b>2001</b>	69	214	32 %
<b>2002</b>	47	212	22 %
<b>2003</b>	67	254	26 %
<b>2004</b>	53	241	22 %
<b>2005</b>	64	272	24 %
<b>2006</b>	77	265	29 %
<b>2007</b>	76	272	28 %
<b>2008</b>	83	321	26 %

<sup>(1)</sup> Total number of decisions open to challenge — judgments, and orders relating to admissibility, concerning interim measures, declaring that there was no need to give a decision or refusing leave to intervene — in respect of which the period for bringing an appeal expired or against which an appeal was brought.

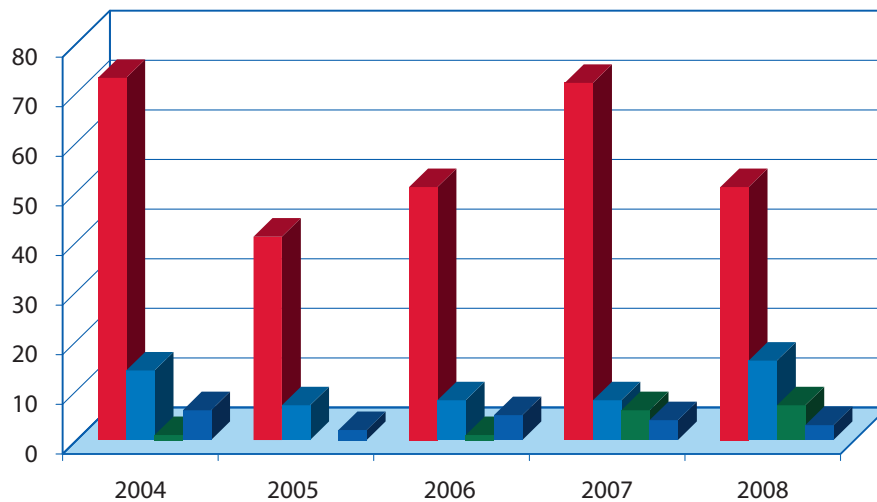
**16. Miscellaneous — Distribution of appeals before the Court of Justice according to the nature of the proceedings (2004–08)**

	2004			2005			2006			2007			2008		
	Appeals	Decisions open to challenge	Appeals as a Percentage	Appeals	Decisions open to challenge	Appeals as a Percentage	Appeals	Decisions open to challenge	Appeals as a Percentage	Appeals	Decisions open to challenge	Appeals as a Percentage	Appeals	Decisions open to challenge	Appeals as a Percentage
Other actions	41	114	36 %	37	120	31 %	46	146	32 %	52	163	32 %	51	190	27 %
Intellectual property	7	45	16 %	16	71	23 %	18	59	31 %	14	63	22 %	23	100	23 %
Staff cases	5	82	6 %	11	81	14 %	13	60	22 %	10	46	22 %	9	31	29 %
<b>Total</b>	<b>53</b>	<b>241</b>	<b>22 %</b>	<b>64</b>	<b>272</b>	<b>24 %</b>	<b>77</b>	<b>265</b>	<b>29 %</b>	<b>76</b>	<b>272</b>	<b>28 %</b>	<b>83</b>	<b>321</b>	<b>26 %</b>

## 17. *Miscellaneous* — Results of appeals before the Court of Justice (2008) (*judgments and orders*)

	Appeal dismissed	Decision totally or partially set aside and no referral back	Decision totally or partially set aside and referral back	Removal from the register/no need to adjudicate	Total
Agriculture	1	1			2
State aid	5	2	5		12
Competition	4		1		5
Law governing the institutions	7	2	1		10
Environment and consumers	4	1		1	6
Free movement of capital		1			1
Freedom of movement for persons	1				1
Fisheries policy		3			3
Economic and monetary policy	1				1
Common foreign and security policy		1			1
Regional policy	1				1
Intellectual property	13	2		2	17
External relations	4				4
Staff Regulations	8	2			10
Common Customs Tariff	1				1
Customs union	1	1			2
<b>Total</b>	<b>51</b>	<b>16</b>	<b>7</b>	<b>3</b>	<b>77</b>

### 18. *Miscellaneous* — Results of appeals before the Court of Justice (2004–08) (*judgments and orders*)



- Appeal dismissed
- Decision totally or partially set aside and no referral back
- Decision totally or partially set aside and referral back
- Removal from the register/no need to adjudicate

	2004	2005	2006	2007	2008
Appeal dismissed	73	41	51	72	51
Decision totally or partially set aside and no referral back	14	7	8	8	16
Decision totally or partially set aside and referral back	1		1	6	7
Removal from the register/ no need to adjudicate	6	2	5	4	3
<b>Total</b>	<b>94</b>	<b>50</b>	<b>65</b>	<b>90</b>	<b>77</b>

### 19. *Miscellaneous* — General trend (1989–2008) (new cases, completed cases, cases pending)

	New cases <sup>(1)</sup>	Completed cases <sup>(2)</sup>	Cases pending on 31 December
1989	169	1	168
1990	59	82	145
1991	95	67	173
1992	123	125	171
1993	596	106	661
1994	409	442	628
1995	253	265	616
1996	229	186	659
1997	644	186	1 117
1998	238	348	1 007
1999	384	659	732
2000	398	343	787
2001	345	340	792
2002	411	331	872
2003	466	339	999
2004	536	361	1 174
2005	469	610	1 033
2006	432	436	1 029
2007	522	397	1 154
2008	629	605	1 178
<b>Total</b>	<b>7 407</b>	<b>6 229</b>	

<sup>1</sup> 1989: the Court of Justice referred 153 cases to the newly created Court of First Instance.

1993: the Court of Justice referred 451 cases as a result of the first extension of the jurisdiction of the Court of First Instance.

1994: the Court of Justice referred 14 cases as a result of the second extension of the jurisdiction of the Court of First Instance.

2004–05: the Court of Justice referred 25 cases as a result of the third extension of the jurisdiction of the Court of First Instance.

<sup>2</sup> 2005–06: the Court of First Instance referred 118 cases to the newly created Civil Service Tribunal.