



Aide-mémoire – Application

September 2024

This document, prepared by the Registry of the General Court, is a practical guide and is not exhaustive. Parties should refer to the Rules of Procedure of the General Court ('the Rules of Procedure') and the Practice Rules for the implementation of the Rules of Procedure of the General Court ('the Practice Rules'), both authentic texts, for full information on the procedural rules.

General information

1. **Address** of the **e-Curia** application: <https://curia.europa.eu/e-Curia>
2. **Model applications:** model applications for direct actions other than those relating to intellectual property rights and for actions relating to intellectual property rights are available on the website of the Court of Justice of the European Union under 'General Court/Procedure'¹.
3. **Preparation of the application:** the text of the application, including the table of contents and the schedule of annexes, can be saved in PDF format directly from word-processing software, without the need for scanning².
4. **Preparation of the annexes:** the annexes must be contained in one or more files separate from the file containing the text of the application and the schedule of annexes. A file may contain several annexes. It is not obligatory to create one file per annex. It is recommended that annexes be added in ascending order when they are lodged, and that they be sufficiently clearly named (for example: Annexes A.1 to A.3, Annexes A.4 to A.6, etc.)³.

¹ Point 173 of the Practice Rules.

² Second indent of point 122 of the Practice Rules.

³ Fourth indent of point 122 of the Practice Rules.

PRESENTATION OF THE APPLICATION⁴

- ☐ **Presentation of pages:** on a white, unlined background in A4 format.
 - ☐ **Text:** in a commonly used font (such as Times New Roman, Courier or Arial) in at least 12 point, with single line spacing, and upper, lower, left and right margins of at least 2.5 cm.
 - ☐ **Footnotes:** in a commonly used font (such as Times New Roman, Courier or Arial) in at least 10 point, with single line spacing. The legal arguments of the parties must be set out in the body of the text of the procedural document and not in the footnotes, the main purpose of which is to include references to documents cited in the procedural document.
 - ☐ **Pagination:** consecutive.
 - ☐ **Paragraph numbering:** paragraphs must be numbered consecutively in ascending order.
- Maximum **number of pages**⁵:
- ☐
 - **50** pages for the application in a direct action other than an action brought pursuant to Article 270 TFEU or relating to an intellectual property case;
 - **25** pages for the application in an action brought pursuant to Article 270 TFEU;
 - **20** pages for the application in an intellectual property case.

CONTENT OF THE APPLICATION⁶

- ☐ **Title of the procedural document: 'Application'.**
- ☐ **Identity of the applicant(s):** name(s) and address(es) of the applicant(s) (natural person(s))/company name(s) and registered office(s) of the applicant(s) (legal person(s)).
- ☐ **Identity of the representative(s):** name(s) - status - address.

⁴ Points 109, 111 and 156 of the Practice Rules.

⁵ In accordance with point 158 of the Practice Rules, the schedule of annexes and the table of contents will not be taken into account in determining the maximum number of pages of the application.

⁶ Articles 76 and 177 of the Rules of Procedure; point 108 of the Practice Rules.

☐ **Identity of the defendant:**

For direct actions: specify the defendant institution, body, office or agency or, if the action is based on an arbitration clause, the natural or legal person, as the case may be.

For intellectual property cases: specify the defendant Office (European Union Intellectual Property Office or the Community Plant Variety Office), the name(s) of any other party/parties to the proceedings before the Board of Appeal, the address(es) given by that party/those parties for the purposes of notifications before the Office, that is to say, the name and address of the representative of that party/those parties, and the date of notification of the decision of the Board of Appeal.

STRUCTURE OF THE APPLICATION⁷

- ☐ **Introduction:** subject matter of the dispute, type of action, basis.
- ☐ **Brief summary of the schema or a table of contents**, if the length of the application exceeds five pages.
- ☐ **Brief account of the facts and relevant provisions** essential for understanding the pleas in law of the action.
- ☐ **Legal arguments** set out and grouped by reference to the pleas in law to which they relate (admissibility and, as the case may be, substance) **with a heading for each plea in law put forward**.
- ☐ **Form of order sought:** precise wording thereof (at the beginning or at the end of the application)⁸.

⁷ Points 110, 113, 162 to 165 and 184 of the Practice Rules.

⁸ If the form of order is set out both at the beginning and at the end of the application, the author must ensure that both instances are identical.

PRESENTATION OF ANNEXES⁹

Only those documents mentioned in the actual text of the application which are referred to in the schedule of annexes and which are necessary in order to prove or illustrate its contents may be submitted as annexes to that procedural document.

The parties should be rigorous in their selection of relevant documents for the purposes of the proceedings. Case-law of the Courts of the European Union and acts published in the *Official Journal of the European Union* that are cited in the procedural documents should not be produced, except for the measure whose annulment is sought.

- ☐ **Schedule of annexes** at the end of the application indicating (i) the number of the annex, (ii) a short description of the annex, (iii) the page numbers of the first and last pages of the annex, according to the consecutive page numbering of the annexes, and (iv) the number of the paragraph in which the annex is first mentioned and its relevance described.
- ☐ **Numbering of annexes:** using a letter and a number. For annexes to the application, Annex A.1, A.2, ...
- ☐ **Pagination of annexes:** it is recommended that each annex be introduced by means of a specific cover page; pagination must be consecutive from the first page of the first annex (not of the schedule of annexes, which must be paginated with the application), including cover pages and any annexes to the annexes.
- ☐ **Annexes in the language of the case** (translation may be requested by the Court if not supplied).

MANDATORY ANNEXES¹⁰

- ☐ **Any lawyer representing a party or assisting an agent** must produce a certificate that he is authorised to practise before a court of a Member State or of another State which is a party to the Agreement on the European Economic Area unless that certificate has already been lodged for the purpose of opening an account giving access to e-Curia¹¹.

⁹ Points 115, 117, 118 and 127 of the Practice Rules.

¹⁰ It is not necessary to refer, in the schedule of annexes, to the formal documents referred to in Article 51(2) and (3) and Article 78(4) of the Rules of Procedure, which may be produced separately. However, if those formal documents are produced as annexes to the application, they must appear in the schedule of annexes.

¹¹ Article 51(2) of the Rules of Procedure.

☐ **If the applicant is a legal person governed by private law, the lawyer must in addition produce:**

- proof of the existence in law of that legal person (extract from the register of companies, firms or associations or any other official document)

and

- an authority to act¹².

☐ The representative must produce one of the following, as appropriate¹³:

- **the measure whose annulment is sought** (action for annulment), including where that measure has been published in the *Official Journal of the European Union*

or

- **documentary evidence of the date on which the institution was requested to act** (action for failure to act)

or

- **the complaint within the meaning of Article 90(2) of the Staff Regulations** and the **decision responding** to that complaint (action brought pursuant to Article 270 TFEU), together with an indication of the dates on which the complaint was submitted and the decision was notified

or

- **the contract** containing the arbitration clause establishing the General Court's jurisdiction (action brought, pursuant to Article 272 TFEU, under an arbitration clause).

¹² Article 51(3) and Article 78(4) of the Rules of Procedure.

¹³ Second paragraph of Article 21 of the Statute; Article 78(2) and (3) of the Rules of Procedure.

SUMMARY OF THE PLEAS IN LAW AND MAIN ARGUMENTS¹⁴

- ☐ For all cases, except for intellectual property cases, the representative must lodge a **summary of the pleas in law and main arguments** to facilitate the drafting of the notice in the *Official Journal of the European Union*.

It is requested that the summary:

- be produced separately from the body of the application and the annexes mentioned in the application;
- not exceed two pages;
- be prepared in the language of the case;
- accord with the model available on the website of the Court of Justice of the European Union under 'General Court/Procedure';
- be sent via e-Curia when lodging the application.

TABLE SETTING OUT THE LIST OF APPLICANTS¹⁵

- ☐ For all cases, except for cases relating to intellectual property rights, an **application lodged by more than 10 applicants** must be accompanied by a **table setting out the list of those parties**.

It is requested that that table:

- indicate for each party, in separate columns, that party's first name, surname, town or city of residence and country of residence;
- be prepared in the language of the case;
- accord with the model available on the website of the Court of Justice of the European Union under 'General Court/Procedure' - Model application for direct actions other than those relating to intellectual property rights;
- be sent via e-Curia when lodging the application and also be transmitted by email, as an ordinary electronic file produced using spreadsheet software, to the email address of the Registry (GC.Registry@curia.europa.eu), indicating the case to which it relates or the filing number assigned in e-Curia at the time of lodging of the application.

¹⁴ Points 167 and 168 of the Practice Rules.

¹⁵ Points 169 and 170 of the Practice Rules.