GENERAL COURT
OF THE EUROPEAN UNION

Practice Rules for the Implementation of the Rules of Procedure of the General Court of 20 May 2015 (OJ L 152, 18.6.2015, p. 1)

Consolidated version

Amended by:

		Official Journal of the European Union		
		Number	Page	Date
M1	Amendments of the Practice Rules for the Implementation of the Rules of Procedure of the General Court of 13 July 2016	L 217	78	12.8.2016
M2	Amendments to the Practice Rules for the Implementation of the Rules of Procedure of the General Court of 17 October 2018	L 294	23	21.11.2018
M3	Amendments to the Practice Rules for the Implementation of the Rules of Procedure of the General Court of 1 February 2023	L 73	58	10.3.2023

Rectified by:

		Official Journal of the European Union		
		Number	Page	Date
C1	Corrigendum to the Practice Rules for the Implementation of the Rules of Procedure of the General Court of 20 May 2015	L 196	56	21.7.2016
C2	Corrigendum to the Amendments to the Practice Rules for the Implementation of the Rules of Procedure of the General Court of 17 October 2018	L 296	40	22.11.2018

EN

THE GENERAL COURT,

Having regard to Article 224 of its Rules of Procedure (OJ 2015 L 105, p. 1);

Whereas in the interests of transparency, legal certainty and the proper implementation of the Rules of Procedure, implementing rules must be laid down in respect of the responsibilities of the Registrar, in particular those relating to the maintenance of the register and case files, the regularisation and service of procedural documents and items and the Registry's scale of charges;

Whereas in accordance with Article 37 of the Rules of Procedure, it is appropriate to fix the Registry's scale of charges;

Whereas in the interests of the proper administration of justice, parties' representatives, whether lawyers or agents within the meaning of Article 19 of the Protocol on the Statute of the Court of Justice of the European Union ('the Statute'), should be given practice directions on the presentation of procedural documents and items and as to how best to prepare for hearings before the General Court;

Whereas these Practice Rules explain, detail and supplement certain provisions of the Rules of Procedure and are intended to enable the parties' representatives to take account of matters which the General Court must take into consideration, particularly those relating to the lodging of procedural documents and items, to their presentation and translation and to interpretation at hearings;

Whereas there are particular features relating to the confidential treatment of procedural documents and items;

Whereas the Registrar is required to ensure that procedural documents and items placed on the case file are in conformity with the provisions of the Statute, the Rules of Procedure and these Practice Rules;

Whereas the lodging of procedural documents and items that do not comply with the provisions of the Statute, the Rules of Procedure or these Practice Rules contributes, sometimes significantly, to an increase in the duration of proceedings and in the costs;

Whereas by complying with these Practice Rules, the parties' representatives, acting in their capacity as officers of the court, contribute through their adherence to procedural fairness to the efficiency of justice by enabling the General Court to deal effectively with the procedural documents and items which they lodge, thereby avoiding the risk of Article 139(a) of the Rules of Procedure being applied with regard to the points covered in these Practice Rules;

Whereas any repeated failure to comply with the requirements of the Rules of Procedure or of these Practice Rules, requiring regularisation to be sought, may

result in the costs involved in the requisite processing thereof by the General Court having to be repaid pursuant to Article 139(c) of the Rules of Procedure;

Whereas the treatment of information or material produced pursuant to Article 105(1) or (2) of the Rules of Procedure is to be governed by the decision adopted by the General Court under Article 105(11) of the Rules of Procedure; [1]

Whereas the rules on the lodging and service of procedural documents by means of e-Curia are contained in the decision adopted by the Court under Article 56a(2) of the Rules of Procedure; [2]

After consulting the agents of the Member States, the institutions intervening in proceedings before the General Court, the Office for Harmonisation in the Internal Market (Trade Marks and Designs) (OHIM), now the European Union Intellectual Property Office (EUIPO), and the Council of Bars and Law Societies of Europe (CCBE);

HAS ADOPTED THESE PRACTICE RULES:

I. THE REGISTRY

A. Tasks of the Registrar

1. The Registrar shall be responsible for the maintenance of the register of the General Court ('the Court') and the files of pending cases, for the acceptance, transmission, service and custody of documents, for correspondence with the parties, applicants for leave to intervene and applicants for legal aid, and for the custody of the seals of the Court and the archives. He shall ensure that Registry charges are collected and that sums due to the cashier of the Court are recovered. He shall be in charge of the publications of the Court and of the dissemination on the Internet site of the Court of Justice of the European Union of documents concerning the Court.

---

[1] Decision (EU) 2016/2387 of the General Court of 14 September 2016 concerning the security rules applicable to information or material produced in accordance with Article 105(1) or (2) of the Rules of Procedure (OJ 2016 L 355, p. 18) ('decision of the Court of 14 September 2016').

[2] Decision of the General Court of 11 July 2018 on the lodging and service of procedural documents by means of e-Curia (OJ 2018 L 240, p. 72) ('decision of the Court of 11 July 2018').

2. In carrying out the duties specified in point 1 above, the Registrar shall be assisted by one or more Deputy Registrars. If the Registrar is prevented from acting, those duties shall be performed by one of the Deputy Registrars, according to seniority, who shall take the decisions reserved to the Registrar by the Rules of Procedure of the General Court or these Practice Rules, or delegated to him pursuant to these Practice Rules.

B. Opening hours of the Registry

3. The offices of the Registry shall be open every working day. All days other than Saturdays, Sundays and the official holidays on the list referred to in Article 58(3) of the Rules of Procedure shall be working days.

4. If a working day as referred to in point 3 above is a holiday for the officials and servants of the institution, arrangements shall be made for a skeleton staff to be on duty at the Registry during the hours in which it is normally open.

5. The Registry shall be open at the following times:

   – in the morning, from Monday to Friday, from 9.30 a.m. to 12 noon,

   – in the afternoon, from Monday to Thursday, from 2.30 p.m. to 5.30 p.m. and on Fridays from 2.30 p.m. to 4.30 p.m.

6. The Registry shall be open half an hour before the commencement of a hearing to the representatives of the parties who have been given notice to attend that hearing.

7. Outside the Registry's opening hours, the annex referred to in Article 72(4) of the Rules of Procedure and the procedural document referred to in Article 147(6) of the Rules of Procedure may be validly lodged with the janitor at the entrances to the buildings of the Court of Justice of the European Union at any time of the day or night. The janitor shall make a record, which shall constitute good evidence, of the date and time of such lodgment and shall issue a receipt upon request.

C. Register

8. All documents placed on the file in cases brought before the Court shall be entered in the register.

9. Information or material produced pursuant to Article 105(1) or (2) of the Rules of Procedure, the treatment of which shall be governed by

the decision of the Court of 14 September 2016, shall also be entered in the register.

10. Entries in the register shall be numbered consecutively. They shall be made in the language of the case. They shall contain in particular the date of lodgment, the date of registration, the number of the case and the nature of the document.

10a. The date of lodgment referred to in point 10 above shall be, depending on the circumstances: the date referred to in Article 5 of the decision of the Court of 11 July 2018, the date on which the document was received by the Registry, the date referred to in point 7 above, or the date referred to in the second indent of Article 3 of the decision of the Court of 14 September 2016. In the cases provided for by the first paragraph of Article 54 of the Statute, the date of lodgment referred to in point 10 above shall be the date on which the procedural document was lodged, via e-Curia, with the Registrar of the Court of Justice or, in the case of a document lodged as referred to in Article 147(6) of the Rules of Procedure, the date on which the document was lodged with the Registrar of the Court of Justice.

11. The register kept in electronic form shall be set up and maintained in such a way that no registration can be deleted therefrom and that following any amendment the original entry is preserved.

12. [Text deleted]

13. [Text deleted]

14. [Text deleted]

15. In accordance with Article 125c of the Rules of Procedure, material produced in the context of the amicable settlement procedure referred to in Articles 125a to 125d of the Rules of Procedure shall be entered in a specific register which shall not be subject to the rules set out in Articles 36 and 37 of those Rules.

D. Case number

16. When an application initiating proceedings is registered, the case shall be given a serial number preceded by 'T-' and followed by an indication of the year.

17. Applications for interim measures, applications to intervene, applications for rectification or interpretation, applications for the Court to remedy a failure to adjudicate, applications for revision, applications for the Court to set aside judgments by default or

initiating third-party proceedings, applications for the taxation of costs and applications for legal aid relating to pending cases shall be given the same serial number as the principal action, followed by a reference to indicate that the proceedings concerned are separate special forms of procedure.

18. An application for legal aid made with a view to bringing an action shall be given a serial number preceded by 'T-', followed by an indication of the year and a specific reference.

19. An action which is preceded by an application for legal aid in connection therewith shall be given the same case number as the latter.

20. Where the Court of Justice refers a case back to the Court following the setting aside of a decision, that case shall be given the number previously allocated to it when it was before the Court, followed by a specific reference.

21. The serial number of the case and the parties shall be indicated on the procedural documents, in correspondence relating to the case, and also in the publications of the Court and in the documents and information which relate to the case and to which the public has access. Where data are omitted pursuant to Article 66 or Article 66a of the Rules of Procedure, the names of the parties shall be adapted accordingly.

E. Case file and inspection of the case file

E.1. Maintenance of the case file

22. The case file shall contain the procedural documents (where applicable together with the annexes thereto) and any other document taken into account in the determination of the case, and also the correspondence with the parties and proof of service. It shall also contain, where applicable, extracts from Chamber conference minutes, the minutes of the meeting with the parties, the report for the hearing, minutes of the hearing and minutes of the inquiry hearing, and the decisions taken and matters noted by the Registry in the case.

23. Any document placed on the case file must bear the register number referred to in point 10 above and a serial number. In addition, procedural documents lodged by the parties and any copies thereof must bear the date of lodgment and the date of entry in the register in the language of the case.

24. The confidential and non-confidential versions of procedural documents and of the annexes thereto shall be filed separately in the case file.

25. Documents relating to the special forms of procedure referred to in point 17 above shall be filed separately in the case file.

26. Material produced in the context of the amicable settlement procedure as provided for in Article 125a of the Rules of Procedure shall be placed in a file separate from the case file.

27. A procedural document and annexes thereto which are produced in a case and placed on the file of that case may not be taken into account for the purpose of preparing another case for hearing.

28. At the close of the proceedings before the Court, the Registry shall arrange for the case file and the file referred to in Article 125c(1) of the Rules of Procedure to be closed and archived. The closed file shall contain a list of all the documents on the case file and a declaration by the Registrar confirming that the file is complete.

29. The treatment of information or material produced pursuant to Article 105(1) or (2) of the Rules of Procedure shall be governed by the decision of the Court of 14 September 2016.

E.2. Inspection and obtaining copies of the case file

30. The representatives of the main parties may inspect the case file, including administrative files produced before the Court, at the Registry.

31. The representatives of the parties granted leave to intervene pursuant to Article 144 of the Rules of Procedure shall have the same right of inspection of the case file as the main parties, subject to Article 144(5) and (7) of the Rules of Procedure.

32. In joined cases, the representatives of all parties shall have the right to inspect the files in the cases concerned by the joinder, subject to Article 68(4) of the Rules of Procedure. However, no such right of inspection shall apply where a joint hearing is organised in accordance with Article 106a of the Rules of Procedure.

33. A person who has made an application for legal aid pursuant to Article 147 of the Rules of Procedure without the assistance of a lawyer shall have the right to inspect the file relating to the legal aid. Where a lawyer is designated to represent that person, that representative alone shall have the right to inspect that file.

34. Authorisation to inspect the confidential version of procedural documents and of any annexes thereto shall be granted only to the parties in respect of whom no confidential treatment has been ordered.

35. As regards information or material produced pursuant to Article 105(1) or (2) of the Rules of Procedure, reference is made to point 29 above.

36. The requirements of points 30 to 35 above do not apply to access to the file referred to in Article 125c(1) of the Rules of Procedure. Access to that specific file is governed by Article 125c of the Rules of Procedure.

36a. At the request of a party, the Registrar shall supply a copy of documents on the case file, if necessary in a non-confidential version, and of extracts from the register.

36b. At the request of a third party, the Registrar shall supply a copy of judgments or orders, provided that those decisions are not already publicly accessible and do not contain confidential information, and of extracts from the register.

F. Originals of judgments and orders

37. Originals of judgments and orders of the Court shall be signed by means of a qualified electronic signature. They shall be stored in an unalterable electronic format, in chronological order, on a special server reserved for long-term archiving. The electronic copy of the certified version of the judgment or order shall be printed and placed on the case file.

38. [Text deleted]

39. [Text deleted]

40. Orders rectifying a judgment or an order, judgments or orders interpreting a judgment or an order, judgments given on applications to set aside judgments by default, judgments given and orders made in third-party proceedings or on applications for revision and which are signed by means of a qualified electronic signature shall be stored on a special server reserved for long-term archiving together with, and inextricably linked to, the relevant judgment or order of the Court signed by means of a qualified electronic signature and a document containing explanatory statements signed by the Registrar.

40a. Where the judgment or order of the Court has been signed by hand, the decision of the Court rectifying, interpreting or revising the judgment or order concerned and which has been signed by means of a qualified electronic signature shall be mentioned in the margin of the judgment or order concerned. The copy of the certified version of the decision signed by means of a qualified electronic signature shall be printed and appended to the original of the judgment or order in paper form.

40b. Where a decision of the Court signed by means of a qualified electronic signature has given rise to a decision of the Court of Justice on appeal, that decision shall be kept in paper form together with, and inextricably linked to, the version of the relevant judgment or order of the Court of Justice as transmitted to the Court Registry and explanatory statements, signed by the Registrar, in the margin of the Court's decision.

40c. Decisions of the Court signed by means of a qualified electronic signature which have given rise to a decision of the Court of Justice on appeal shall be stored on a special server reserved for long-term archiving together with, and inextricably linked to, the version of the relevant judgment or order of the Court of Justice as transmitted to the Court Registry and a document containing explanatory statements signed by the Registrar.

G. [Text deleted]

41. [Text deleted]

H. Witnesses and experts

42. The Registrar shall take the measures necessary for giving effect to orders requiring the taking of expert opinion or the examination of witnesses.

43. The Registrar shall obtain from witnesses evidence of their expenses and loss of earnings and from experts a fee note accounting for their expenses and services.

44. The Registrar shall cause sums due to witnesses and experts under the Rules of Procedure to be paid by the cashier of the Court. In the event of a dispute concerning such sums, the Registrar shall refer the matter to the President in order for a decision to be taken.

I. Registry's scale of charges

45. Where an extract from the register is supplied in accordance with Article 37 of the Rules of Procedure, the Registrar shall impose a Registry charge of EUR 15 per extract.

46. Where a copy of a document or an extract from the case file is supplied to a party at that party's request in accordance with Article 38(1) of the Rules of Procedure, the Registrar shall impose a Registry charge of EUR 40 per document supplied.

47. Where an authenticated copy of an order or of a judgment is, for the purposes of enforcement, supplied to a party at that party's request in accordance with Article 38(1) or Article 170 of the Rules of Procedure, the Registrar shall impose a Registry charge of EUR 50 per authenticated copy.

48. Where a copy of a judgment or of an order is supplied in accordance with point 36b above to a third party at that third party's request, the Registrar shall impose a Registry charge of EUR 40 per copy.

49. [Text deleted]

50. Where a party or an applicant for leave to intervene has repeatedly failed to comply with the requirements of the Rules of Procedure or of these Practice Rules, the Registrar shall, in accordance with Article 139(c) of the Rules of Procedure, impose a Registry charge which may not exceed EUR 7 000.

J. Recovery of sums

51. Where sums paid out by way of legal aid, sums paid to witnesses or experts, or avoidable costs, within the meaning of Article 139(a) of the Rules of Procedure, incurred by the Court are recoverable by the cashier of the Court, the Registrar shall demand payment of those sums from the debtor who is to bear them.

52. If the sums referred to in point 51 above are not paid within the period prescribed by the Registrar, he may request the Court to make an enforceable order and, if necessary, require its enforcement.

53. Where Registry charges are recoverable by the cashier of the Court, the Registrar shall demand payment of those sums from the debtor who is to bear them.

54. If the sums referred to in point 53 above are not paid within the period prescribed by the Registrar, he may adopt an enforceable

decision under Article 35(4) of the Rules of Procedure and, if necessary, require its enforcement.

K. Publications and posting of documents on the internet

55. The Registrar shall cause to be published in the *Official Journal of the European Union* the names of the President and of the Vice-President of the Court and of the Presidents of Chambers who have been elected by the Court, the composition of the Chambers and the criteria applied in the allocation of cases to them, the criteria applied in order to complete the formation of the Court or to attain the quorum, as the case may be, where a member of the formation of the Court is prevented from acting, the name of the Registrar and of any Deputy Registrar(s) elected by the Court, and the dates of the judicial vacations.

56. The Registrar shall cause to be published in the *Official Journal of the European Union* the decisions referred to in Article 11(3), Article 56a(2) and Article 105(11) of the Rules of Procedure.

57. The Registrar shall cause to be published in the *Official Journal of the European Union* the legal aid form.

58. The Registrar shall cause to be published in the *Official Journal of the European Union* notices of proceedings brought and of decisions closing proceedings, save in the case of decisions closing proceedings adopted before the application has been served on the defendant.

59. The Registrar shall ensure that the case-law of the Court is made public in accordance with arrangements adopted by the Court. Information concerning those arrangements shall be available on the internet site of the Court of Justice of the European Union.

II. GENERAL PROVISIONS ON PROCEDURES FOR DEALING WITH CASES

A. Service

60. Service shall be effected by the Registry in accordance with Article 57 of the Rules of Procedure.

61. The copy of the document to be served shall be accompanied by a letter specifying the case number, the register number and a brief indication of the nature of the document.

62. Where a document is served in accordance with Article 57(2) of the Rules of Procedure, the addressee shall be informed of such service by the transmission by e-Curia of a copy of the letter accompanying the document to be served and drawing his attention to the provisions of Article 57(2) of the Rules of Procedure.

63. The proof of service shall be kept on the case file.

64. If service of the application on the defendant is attempted unsuccessfully, the Registrar shall prescribe a time limit within which the applicant is to supply additional information for service or to ask whether the applicant will agree to use, at his own expense, the services of a judicial officer for the purpose of re-serving the application.

B. Time limits

65. As regards Article 58(1)(a) and (b) of the Rules of Procedure, where a time limit is expressed in weeks, months or years, it shall expire at the end of the day which, in the last week, month or year indicated in the time limit, is the same day of the week, or falls on the same date, as the day on which the time limit began to run, that is the day on which the event which started time running occurred, or the action which started time running took place, and not the following day.

66. Article 58(2) of the Rules of Procedure, according to which a time limit which would otherwise end on a Saturday, Sunday or an official holiday is to be extended until the end of the next working day, shall be applicable only where the entire time limit, including the extension on account of distance, ends on a Saturday, Sunday or official holiday.

67. The Registrar shall prescribe the time limits provided for in the Rules of Procedure, in accordance with the authority accorded to him by the President.

68. In accordance with Article 62 of the Rules of Procedure, procedural documents or items received at the Registry after the time limit prescribed for their lodgment has expired may be accepted only with the authorisation of the President.

69. The Registrar may extend the time limits prescribed, in accordance with the authority accorded to him by the President. When necessary, he shall submit to the President proposals for the extension of time limits. Applications for extensions of time limits

must be duly reasoned and be submitted in good time before the expiry of the time limit prescribed.

70. A time limit may not be extended more than once save for exceptional reasons.

C. Omission of data vis-à-vis the public

71. [Text deleted]

72. An application for omission under Article 66 or Article 66a of the Rules of Procedure must be made by a separate document. It must accurately identify the data covered by the application. An application for omission of data as referred to in Article 66a of the Rules of Procedure must state the reasons on which it is based.

73. In order to ensure that the data referred to in Articles 66 and 66a of the Rules of Procedure are not disclosed, the application for omission of data must be made as soon as the procedural document containing the data in question is lodged. The practical effect of omitting the data is undermined if the data have already been published on the internet.

D. [Text deleted]

74. [Text deleted]

75. [Text deleted]

76. [Text deleted]

III. PROCEDURAL DOCUMENTS AND THE ANNEXES THERETO

A. Lodging of procedural documents and annexes via e-Curia

77. All procedural documents must be lodged at the Registry by exclusively electronic means using the e-Curia application (https://curia.europa.eu/e-Curia) in compliance with the decision of the Court of 11 July 2018 and the Conditions of use of e-Curia, save for those cases referred to in points 89 to 91 below. The latter two documents shall be available on the internet site of the Court of Justice of the European Union.

78. The representative lodging a document via e-Curia must satisfy all the requirements laid down in Article 19 of the Statute and must, if he is a lawyer, have the requisite independence from the party he represents.

79. The use of the representative's personal username and password shall be equivalent to his signature on the procedural document lodged in accordance with Article 3 of the decision of the Court of 11 July 2018, and is intended to guarantee the authenticity of that document. By the use of his personal username and password, the representative shall accept responsibility for the content of the document lodged.

B. Presentation of procedural documents and annexes

B.1. Procedural documents

80. The following information must appear on the first page of each procedural document:

(a) the case number (T-.../..), where it has already been notified by the Registry;

(b) the title of the procedural document (application, defence, response, reply, rejoinder, application to intervene, statement in intervention, plea of inadmissibility, observations on ..., replies to questions, etc.);

(c) the names of the applicant, of the defendant, of the intervener, if any, and of any other party to the proceedings in intellectual property cases;

(d) the name of the party on whose behalf the procedural document is lodged.

81. In order to facilitate the electronic consultation of procedural documents, these must be submitted:

(a) in A4 format;

(b) with a commonly used font (such as Times New Roman, Courier or Arial) in at least 12 point in the body of the text and at least 10 point in the footnotes, with single line spacing, and upper, lower, left and right margins of at least 2.5 cm;

(c) with each paragraph numbered consecutively;

(d) with consecutive page numbering (for example: pages 1 to 50).

81a. The main purpose of a footnote is to include references to documents cited in the procedural document. It is not the purpose of a footnote to develop the pleas in law or arguments put forward.

B.2. Schedule of annexes

82. The schedule of annexes must appear at the end of the procedural document with or without pagination. Annexes submitted without a schedule of annexes will not be accepted.

83. The schedule of annexes must indicate, for each annex:

(a) the number of the annex (using a letter and a number; for example: A.1, A.2, … for annexes to the application; B.1, B.2, … for annexes to the defence or to the response; C.1, C.2, … for annexes to the reply; D.1, D.2, … for annexes to the rejoinder);

(b) a short description of the annex (for example: 'letter', followed by its date, author and addressee);

(c) the page numbers of the first and last pages of each annex, according to the consecutive page numbering of the annexes (for example: pages 43 to 49 of the annexes);

(d) the number of the paragraph in which the annex is first mentioned and its relevance described.

84. In order to ensure optimal handling by the Registry, any annexes that are in colour must be clearly indicated as such in the schedule of annexes.

B.3. Annexes

85. Only those documents mentioned in the actual text of a procedural document 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 a procedural document.

86. Annexes to a procedural document must be submitted in such a way as to facilitate the electronic inspection of documents by the Court and to avoid any possibility of confusion. Accordingly, the following requirements must be complied with:

(a) each annex must be numbered in accordance with point 83(a) above;

(b) it is recommended that each annex be introduced by means of a specific cover page;

(c) annexes to a procedural document must be paginated consecutively (for example: 1 to 152) from the first page of the first annex (not of the schedule of annexes), including cover pages and any annexes to the annexes;

(d) the annexes must be easily legible.

87. Each reference to an annex produced must include the annex number as stated in the schedule of annexes and indicate the procedural document with which the annex has been produced (for example: Annex A.1 to the application).

C. Presentation of files lodged by e-Curia

88. Procedural documents and annexes thereto lodged by means of the e-Curia application shall be presented in the form of files. In order to assist the Registry in handling them, it is recommended to follow the practical guidance given in the e-Curia User Guide available online on the internet site of the Court of Justice of the European Union, namely:

– files must include names identifying the procedural document (Pleading, Annexes Part 1, Annexes Part 2, Covering letter, etc.);

– the text of the procedural document can be saved in PDF directly from the word-processing software without the need for scanning;

– the procedural document must include the schedule of annexes;

– the annexes must be contained in one or more files separate from the file containing the procedural document. 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 1 to 3, Annexes 4 to 6, etc.).

D. Lodging of documents otherwise than by e-Curia

89. The general rule according to which all procedural documents must be lodged at the Registry by means of e-Curia shall be without prejudice to those cases referred to in Article 105(1) and (2) and Article 147(6) of the Rules of Procedure.

90. In addition, annexes to a procedural document, which are mentioned in the body of that document and which by their nature cannot be lodged by e-Curia, may be sent separately by post or delivered to the Registry in accordance with Article 72(4) of the Rules of Procedure, provided that they are mentioned in the schedule of annexes to the document lodged by e-Curia. The schedule of

annexes must identify which annexes are to be lodged separately. Those annexes must reach the Registry no later than 10 days after the lodging of the procedural document by e-Curia. They must be lodged at the following address:

Registry of the General Court of the European Union

Rue du Fort Niedergrünewald

L-2925 Luxembourg

91. Where it is technically impossible to lodge a procedural document by e-Curia, the representative must follow the procedure laid down in Article 7 of the decision of the Court of 11 July 2018. The copy of the document lodged otherwise than by e-Curia in accordance with the second paragraph of Article 7 of the decision of the Court of 11 July 2018 must include the schedule of annexes and all the annexes referred to therein. It is not necessary for the copy of the procedural document thus lodged to be signed by hand.

E. Non-acceptance of procedural documents and items

92. The Registrar shall refuse to enter in the register and to place on the case file, in whole or in part, procedural documents and, where appropriate, items which are not provided for by the Rules of Procedure. If in doubt, the Registrar shall refer the matter to the President in order for a decision to be taken.

93. Save in the cases expressly provided for by the Rules of Procedure and subject to Article 46(2) of the Rules of Procedure and point 100 below, the Registrar shall refuse to enter in the register and to place on the case file procedural documents or items drawn up in a language other than the language of the case.

94. Where a party challenges the Registrar's refusal to enter all or part of a procedural document or item in the register and to place it on the case file, the Registrar shall submit that issue to the President for a decision on whether the document or item in question is to be accepted.

F. Regularisation of procedural documents and annexes

F.1. General

95. The Registrar shall ensure that procedural documents placed on the case file and the annexes thereto are in conformity with the provisions of the Statute and the Rules of Procedure, and with these Practice Rules.

96. If necessary, he shall allow the parties a period of time for making good any formal irregularities in the procedural documents lodged.

97. In the event of any repeated failure to comply with the requirements of the Rules of Procedure or of these Practice Rules, requiring regularisation to be sought, the Registrar will request the party or applicant for leave to intervene to pay the costs involved in the requisite processing thereof by the Court, in accordance with Article 139(c) of the Rules of Procedure.

98. [Text deleted]

99. [Text deleted]

100. Where an application to intervene originating from a third party other than a Member State is not drawn up in the language of the case, the Registrar shall require the application to be put in order before it is served on the parties. If a version of such an application drawn up in the language of the case is lodged within the time limit prescribed for this purpose by the Registrar, the date on which the first version, not in the language of the case, was lodged shall be taken as the date on which the procedural document was lodged.

F.2. Regularisation of applications

101. If an application does not comply with the requirements specified in Annex 1 to these Practice Rules, the Registry shall not serve it and a reasonable time limit shall be prescribed for the purposes of putting it in order. Failure to put the application in order may result in the action being dismissed as inadmissible, in accordance with Article 78(6) and Article 177(6) of the Rules of Procedure.

102. If an application does not comply with the procedural rules specified in Annex 2 to these Practice Rules, service of the application shall be delayed and a reasonable time limit shall be prescribed for the purposes of putting the application in order.

103. If an application does not comply with the procedural rules specified in Annex 3 to these Practice Rules, the application shall be served and a reasonable time limit shall be prescribed for the purposes of putting it in order.

F.3. Regularisation of other procedural documents

104. The instances of regularisation referred to in points 101 to 103 above shall apply as necessary to procedural documents other than the application.

104a. The schedule of annexes and any table of contents shall not be taken into account in determining the maximum number of pages of a pleading.

IV. THE WRITTEN PART OF THE PROCEDURE

A. Length of written pleadings

A.1. Direct actions (other than those relating to intellectual property cases)

105. In direct actions within the meaning of Article 1 of the Rules of Procedure, the maximum number of pages [3] shall be as follows.

In direct actions other than those brought pursuant to Article 270 TFEU:

- 50 pages for the application and for the defence;
- 25 pages for the reply and for the rejoinder;
- 20 pages for a plea of inadmissibility and for observations thereon;
- 20 pages for a statement in intervention and 15 pages for observations thereon.

In direct actions brought pursuant to Article 270 TFEU:

- 30 pages for the application and for the defence;
- 15 pages for the reply and for the rejoinder;
- 10 pages for a plea of inadmissibility and for observations thereon;
- 10 pages for a statement in intervention and 5 pages for observations thereon.

106. Authorisation to exceed those maximum lengths will be given only in cases involving particularly complex legal or factual issues.

[3] The text must be presented in accordance with the requirements set out in point 81(b) of these Practice Rules.

A.2. Intellectual property cases

107. In intellectual property cases, the maximum number of pages [4] shall be as follows:

- 20 pages for the application and for responses;
- 15 pages for the cross-claim and for responses thereto;
- 10 pages for a plea of inadmissibility and for observations thereon;
- 10 pages for a statement in intervention and 5 pages for observations thereon.

108. Authorisation to exceed those maximum lengths will be given only in cases involving particularly complex legal or factual issues.

A.3. Regularisation of excessively long pleadings

109. A pleading comprising a number of pages which exceeds by 40% or more the maximum number of pages prescribed in points 105 and 107 above, as the case may be, shall require regularisation, unless otherwise directed by the President.

110. A pleading comprising a number of pages which exceeds by less than 40% the maximum number of pages prescribed in points 105 and 107 above, as the case may be, may require regularisation if so directed by the President.

111. Where a party is requested to put his pleading in order on account of its excessive length, service of the pleading which requires regularisation on account of its length shall be delayed.

B. Structure and content of written pleadings

B.1. Direct actions (other than those relating to intellectual property cases)

1) Application initiating proceedings

112. The mandatory information to be included in the application initiating proceedings is prescribed by Article 76 of the Rules of Procedure.

---

[4] The text must be presented in accordance with the requirements set out in point 81(b) of these Practice Rules.

113. The introductory part of the application should be followed by a brief account of the facts giving rise to the dispute.

114. The precise wording of the form of order sought by the applicant must be stated either at the beginning or at the end of the application.

115. Legal arguments should be set out and grouped by reference to the particular pleas in law to which they relate. Each argument or group of arguments should generally be preceded by a summary statement of the relevant plea. In addition, the pleas in law put forward should ideally each be given a heading to enable them to be identified easily.

116. The documents referred to in Article 51(2) and (3) and Article 78 of the Rules of Procedure must be produced, where appropriate, together with the application.

117. [Text deleted]

118. Each application must be accompanied by a summary of the pleas in law and main arguments relied on, designed to facilitate the drafting of the notice required to be published in the *Official Journal of the European Union* in accordance with Article 79 of the Rules of Procedure.

119. In order to assist the Court in processing the summary of pleas in law and main arguments relied on, 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 in accordance with the model available online on the internet site of the Court of Justice of the European Union;
- be transmitted by e-Curia when the application is lodged, with an indication of the case to which it relates.

120. If the application is lodged after the submission of an application for legal aid, the effect of which, under Article 147(7) of the Rules of Procedure, is to suspend the time limit prescribed for the bringing of an action, this must be stated at the beginning of the application initiating proceedings.

121. If the application is lodged after service of the order making a decision on an application for legal aid or, where no lawyer is designated in that order to represent the applicant for legal aid,

after service of the order designating the lawyer instructed to represent the applicant for legal aid, reference must also be made in the application to the date on which the order was served on the applicant.

122. In order to facilitate formal preparation of the application, the parties' representatives may find it useful to consult the document entitled 'Aide-mémoire: Application' and the indicative model application available on the internet site of the Court of Justice of the European Union.

2) Defence

123. The mandatory information to be included in the defence is prescribed by Article 81(1) of the Rules of Procedure.

124. The precise wording of the form of order sought by the defendant must be stated either at the beginning or at the end of the defence.

125. Any fact alleged by the applicant which is contested must be specified and the basis on which it is contested expressly stated.

126. Since the legal framework of the proceedings is fixed by the application, the legal arguments developed in the defence must, so far as is possible, be set out and grouped by reference to the pleas in law or complaints put forward in the application.

127. Point 116 shall apply to the defence.

128. In cases brought pursuant to Article 270 TFEU, the institutions should preferably annex to the defence any acts of general application cited which have not been published in the *Official Journal of the European Union*, together with details of the dates of their adoption, their entry into force and, where applicable, their repeal.

3) Reply and rejoinder

129. Where there is a second exchange of pleadings, the main parties may supplement their legal arguments with a reply or a rejoinder, as the case may be.

130. The framework and the pleas in law or complaints at the heart of the dispute having been set out (or disputed) in depth in the application and the defence, the purpose of the reply and the rejoinder shall be to allow the applicant and the defendant to make clear their position or to refine their arguments on an important issue, and to respond to new matters raised in the defence and in the reply. The President

may also, pursuant to Article 83(3) of the Rules of Procedure, himself specify the matters to which those procedural documents should relate.

B.2. Intellectual property cases

1) Application initiating proceedings

131. The mandatory information to be included in the application initiating proceedings is prescribed by Article 177(1) of the Rules of Procedure.

132. The application must also contain the information referred to in Article 177(2) and (3) of the Rules of Procedure.

133. The documents referred to in Article 177(3) to (5) of the Rules of Procedure must be produced together with the application.

134. Points 113 to 115 and 120 to 122 above shall apply to applications in intellectual property cases.

2) Response

135. The mandatory information to be included in the response is prescribed by Article 180(1) of the Rules of Procedure.

136. The precise wording of the form of order sought by the defendant or by the intervener must be stated either at the beginning or at the end of the response.

137. The documents referred to in Article 177(4) and (5) of the Rules of Procedure must be produced together with the response lodged by the intervener, in so far as those documents have not already been lodged in accordance with Article 173(5) of the Rules of Procedure.

138. Points 125 and 126 above shall apply to the response.

3) Cross-claim and responses to the cross-claim

139. If, when the application has been served on him, a party to the proceedings before the Board of Appeal other than the applicant intends to challenge the contested decision on a point not raised in the application, that party must introduce a cross-claim when lodging his response. That cross-claim must be introduced by a separate document and meet the requirements set out in Articles 183 and 184 of the Rules of Procedure.

140. Where such a cross-claim is made, the other parties to the proceedings may submit a pleading in response confined to the

form of order sought, the pleas in law and the arguments relied on in the cross-claim.

V. THE ORAL PART OF THE PROCEDURE

A. Requests for a hearing

141. As is apparent from Article 106 of the Rules of Procedure, the Court shall arrange a hearing either of its own motion or at the request of a main party.

142. A main party who wishes to present oral argument must submit a reasoned request for a hearing, within three weeks after service on the parties of notification of the close of the written part of the procedure. That reasoning – which is not to be confused with written pleadings or observations and should not exceed three pages – must be based on a real assessment of the benefit of a hearing to the party in question and must indicate the elements of the case file or arguments which that party considers it necessary to develop or refute more fully at a hearing. In order better to ensure that the arguments remain focused at the hearing, the statement of reasons should preferably not be in general terms merely referring, for example, to the importance of the case.

143. If no reasoned request is submitted by a main party within the prescribed time limit, the Court may decide to rule on the action without an oral part of the procedure.

B. Preparation for the hearing

144. The parties shall be given notice to attend the hearing by the Registry at least one month before it takes place, provided always that, where the circumstances so require, a shorter period of notice may apply. Where the Court decides to organise a joint hearing of two or more cases pursuant to Article 106a of the Rules of Procedure, the notice to attend the hearing shall specify in particular the cases that will be dealt with at that hearing.

145. In accordance with Article 107(2) of the Rules of Procedure, requests for an adjournment of the hearing shall be granted only in exceptional circumstances. Such requests may be lodged only by the main parties, must state adequate reasons, be accompanied by appropriate supporting documents, and be submitted to the Court as soon as possible after notice to attend has been given.

146. If the representative of a party intends not to be present at the hearing, he is requested to inform the Court as soon as possible after notice to attend has been given.

147. The Court will make every effort to ensure that the parties' representatives receive a summary report for the hearing three weeks before the hearing. The purpose of the summary report for the hearing is to enable the parties to prepare for the hearing.

147a. Where the Court decides to organise a joint hearing of two or more cases pursuant to Article 106a of the Rules of Procedure, the summary report for the hearing drawn up in the language of the case in each of the cases concerned shall be served on all other parties to whom notice to attend that hearing has been given.

148. The summary report for the hearing, drawn up by the Judge-Rapporteur, shall be confined to setting out the pleas in law and a succinct summary of the parties' arguments.

149. Any observations the parties may wish to make on the summary report for the hearing may be made at the hearing. In such cases, a reference to such observations shall be recorded in the minutes of the hearing.

150. The summary report for the hearing shall be made available to the public outside the courtroom on the day of the hearing, unless the case is to be entirely heard in camera.

151. Before every public hearing the Registrar shall cause the following information to be displayed outside the courtroom in the language of the case: the date and time of the hearing, the competent formation of the Court, the case(s) which will be called and the names of the parties.

152. A request to use particular technical means for the purposes of a presentation must be made at least two weeks before the date of the hearing. If the request is approved by the President, the arrangements for such use of technology should be made with the Registry, so that any technical or practical constraints can be taken into account. The sole object of the presentation shall be to illustrate the information contained in the case file and it must not, therefore, contain new pleas in law or new evidence. Supporting material for such presentations shall not be placed on the case file, nor, therefore, shall it be served on the other parties, unless the President otherwise decides.

152a. If a party intends to request a derogation from the language arrangements in accordance with Article 45(1)(c) or (d) of the Rules

of Procedure in order for a language other than the language of the case to be used at the hearing, the request must be submitted as soon as possible after notice to attend has been given.

153. In view of the security measures in place to control access to the buildings of the Court of Justice of the European Union, it is recommended that the parties' representatives take the necessary steps to ensure that they are present in the courtroom at least 15 minutes before the hearing is due to start, as the members of the formation of the Court will normally wish to discuss the organisation of the hearing with them.

154. In order to prepare for their participation in a hearing, the parties' representatives are invited to consult the following document, which is available on the internet site of the Court of Justice of the European Union: 'Aide-mémoire: Hearing of oral argument'.

C. Conduct of the hearing

155. The parties' representatives shall be required to appear before the Court in their gowns.

156. The purpose of the hearing shall be:

- where necessary, to reiterate in condensed form the position taken by the parties, emphasising the key submissions advanced in writing;
- to clarify, if necessary, certain arguments advanced during the written part of the procedure and to submit any new material arising from events occurring after the close of the written part of the procedure and which therefore could not have been set out in the pleadings;
- to reply to any questions put by the Court.

157. It will be for each party to assess, in the light of the purpose of the hearing, as defined in point 156 above, whether oral argument is really necessary or whether it would be sufficient simply to refer to the written observations or pleadings. The hearing can then concentrate on the replies to questions put by the Court. If the representative does consider it necessary to address the Court, it is recommended that he confine himself to making specific points and referring to the pleadings in relation to other points.

158. Where, before the hearing, the Court has invited the parties, in accordance with Article 89(4) of the Rules of Procedure, to concentrate in their oral pleadings on one or more specified issues,

those issues must be addressed as a matter of priority in the oral submissions.

159. If a party refrains from presenting oral argument, this shall not constitute acquiescence in the oral argument presented by another party where the arguments in question have already been refuted in writing. Such silence shall not preclude that party from responding to the other party's submission.

160. In the interests of clarity and in order to enable the Members of the Court to understand oral submissions better, it will generally be preferable for Counsel to speak freely on the basis of notes rather than to read out a written text. The parties' representatives are also requested to simplify their presentation of the case as far as possible and to use short sentences. It would also assist the Court if representatives could structure their oral argument and indicate, before developing it, the structure they intend to adopt.

161. In order to assist the Court in relation to certain technical issues, the President of the formation may authorise the parties' representatives to give the floor to individuals who, despite not having the status of representative, are best placed to comment. Those individuals shall intervene only in the presence of the representative of the party concerned and responsibility for them shall lie with him. Before addressing the Court, those individuals must identify themselves.

162. The time taken in presenting oral submissions may vary, depending on the complexity of the case and on whether or not new facts have arisen. Each of the main parties will be allowed 15 minutes and each intervener will be allowed 10 minutes to present oral submissions (at a hearing in joined cases or at a joint hearing, each of the main parties will be allowed 15 minutes for each case and each intervener will be allowed 10 minutes for each case), unless the Registry has indicated otherwise. These limitations shall apply only to the oral submissions themselves and not to the time required to answer questions put at the hearing or for final replies.

163. If circumstances so require, a request for leave to exceed the speaking time normally allowed, giving reasons and indicating the speaking time considered necessary, may be made to the Registry at least two weeks (or less, in duly substantiated exceptional circumstances) before the date fixed for the hearing. When such requests are made, representatives will be informed of the time which they will have for presenting their oral submissions.

164. When several representatives act for a party, only two of them may normally present oral argument, and their combined speaking time must not exceed the time limits indicated in point 162 above. However, representatives other than those who addressed the Court may answer questions from Members of the Court and make final replies.

165. Where two or more parties are advancing the same argument before the Court (a situation which may arise where there are interventions, where cases are joined or where the similarities between cases are such that a joint hearing is warranted), their representatives are requested to confer with each other before the hearing in order to avoid any repetition. Representatives of the parties concerned must, however, ensure that they adopt a position only on behalf of the parties whom they represent and that they comply with Article 84 of the Rules of Procedure, which lays down the conditions under which a new plea in law may be introduced in the course of proceedings before the Court.

166. When citing a decision of the Court of Justice, the General Court or the Civil Service Tribunal, representatives are requested to refer to it by the usual name of the case and the case number, and, where relevant, to specify the relevant paragraph(s).

167. In accordance with Article 85(3) of the Rules of Procedure, the main parties may, exceptionally, produce further evidence at the hearing. In such a situation, it is recommended that sufficient copies (including, where appropriate, in a non-confidential version for interveners) be made available. The other parties will be heard on the admissibility and content thereof.

Ca. Participation in a hearing by videoconference

Ca. 1. Request for the use of videoconferencing

167a. If a party's representative is prevented from participating in person in a hearing which he has been given notice to attend, whether for health reasons (for example, an impediment of an individual medical nature or resulting from travel restrictions linked to an epidemic), or on security or other serious grounds (for example, a strike in the air transport sector), the representative of the party concerned must lodge, by a separate document, a reasoned request to participate in the hearing by videoconference.

167b. In order to ensure that the request can be properly processed by the Court, it must be submitted as soon as the reason for the impediment is known and contain:

– precise and substantiated details of the nature of the impediment relied on;

– the contact details of a contact person with whom any necessary technical and interpretation tests may be carried out in advance of the hearing;

– if applicable, the case number of the last case in which the representative participated in a hearing by videoconference before the Court or the Court of Justice.

167c. Any request for the use of videoconferencing shall be served on the other parties to the case.

167d. The party requesting the use of videoconferencing and the other parties to the case shall be informed by the Registry of the decision taken by the President of the Chamber on the request.

167e. If that decision is favourable, the contact person whose details will previously have been supplied by the representative in his request will be contacted by the technical support services of the Court of Justice of the European Union so that the mandatory technical and interpretation tests involving the representative can be organised as quickly as possible.

167f. If the tests prove to be successful, the hearing can be organised by videoconference, and the parties shall be notified accordingly. If the tests prove to be unsuccessful, the parties shall be notified of the consequences as regards proceeding with the hearing or adjourning it.

Ca. 2. Technical conditions

167g. The use of videoconferencing for oral hearings requires high sound and image quality and a perfectly stable connection, which are tested prior to the hearing. Accordingly, the following technical requirements must be met:

– only connections using the H.323 or SIP protocols shall be permitted. H.323 and SIP are protocols specifically used for setting up videoconference calls and ensure stability and optimal security of connections;

– the use of a software platform or any other meeting system based exclusively on a computer application shall not be permitted;

– connections via mobile devices such as laptops, tablets or smartphones shall not be permitted.

167h. Where the representative participates in the hearing by videoconference, he may use only the language in which he is authorised to plead under the Rules of Procedure and may, without prejudice to future developments, have access only to interpretation into that language.

Ca. 3. Practical recommendations for representatives making oral submissions by videoconference

167i. Practical recommendations for representatives making oral submissions by videoconference can be found on the internet site of the Court of Justice of the European Union.

D. Interpretation

168. In order to facilitate interpretation, parties' representatives are requested to send any text or written notes for their submissions to the Interpretation Directorate in advance by email (interpretation@curia.europa.eu).

169. Any notes for submissions thus transmitted will be treated in the strictest confidence. In order to avoid any misunderstanding, the name of the party must be stated. Notes for submissions will not be placed on the case file.

170. Representatives are reminded that, depending on the case being heard, only some of the Members of the bench may be following the oral argument in the language in which it is being presented; the other Members will be listening to the simultaneous interpretation. In the interests of the better conduct of the hearing and of maintaining the quality of the simultaneous interpretation, representatives are strongly advised to speak slowly and directly into the microphone.

171. Where representatives intend to cite verbatim passages from certain texts or documents, particularly passages not appearing in the case file, it would be helpful if they would indicate the passages concerned to the interpreters before the hearing. Similarly, it may be helpful to draw the interpreters' attention to any terms which may be difficult to translate.

E. Minutes of the hearing

172. The Registrar shall draw up in the respective language of each case the minutes of every hearing. Those minutes shall contain: an indication of the case; the date, time and place of the hearing; an indication, where applicable, that the case was heard in camera; the

names of the Judges and the Registrar present; the names and status of the parties' representatives present; a reference to any observations on the summary report for the hearing; the surnames, forenames, status and permanent addresses of any witnesses or experts examined; an indication, where applicable, of the procedural documents or items produced at the hearing; and, in so far as is necessary, the statements made at the hearing and the decisions pronounced at the hearing by the Court or the President.

172a. Where a joint hearing of two or more cases is organised in accordance with Article 106a of the Rules of Procedure, minutes of the hearing, the content of which shall be identical for all the cases concerned, shall be placed on the file for each case in the language of the case.

VI. CONFIDENTIAL TREATMENT

A. General

173. In accordance with Article 64 and subject to the provisions of Article 68(4), Article 104, Article 105(8) and Article 144(7) of the Rules of Procedure, the Court shall take into consideration only those procedural documents and items which have been made available to the representatives of the parties and on which they have been given an opportunity of expressing their views.

174. It follows that, without prejudice to the provisions of Articles 103 to 105 of the Rules of Procedure, no consideration may be given to an application by the applicant for certain information on the case file to be treated as confidential in relation to the defendant. Likewise, no such application may be made by the defendant in relation to the applicant.

175. Nevertheless, a main party may apply for certain confidential information on the case file to be excluded from the documents to be communicated to an intervener in accordance with Article 144(7) of the Rules of Procedure.

176. Each party may also request that a party to joined cases not be given access to certain information in the files concerned by the joinder on account of its alleged confidentiality, in accordance with Article 68(4) of the Rules of Procedure.

B. Confidential treatment where an application to intervene has been made

177. Where an application to intervene is made in a case, the main parties are requested to state, within the time limit prescribed by the Registrar to that effect, whether they wish to seek confidential treatment in respect of certain information included in the procedural documents already placed on the case file.

178. The main parties must submit simultaneously with any procedural document or item that they may lodge subsequently any application for confidential treatment that may be required in respect of the procedural document or item concerned. In the absence of such an application, the procedural documents and items lodged will be communicated to the intervener.

179. Any application for confidential treatment must be made by a separate document. It may not be lodged as a confidential version and must not, therefore, contain confidential information.

180. An application for confidential treatment must specify the party in relation to whom confidentiality is requested.

181. An application for confidential treatment must be limited to what is strictly necessary and may not in any event cover the entirety of a procedural document; only exceptionally may it extend to the entirety of an annexed document. It should usually be possible to furnish a non-confidential version of a procedural document and items in which certain passages, words or figures have been deleted without affecting the interests it is sought to protect.

182. An application for confidential treatment must accurately identify the particulars or passages to be excluded and state the reasons for which each of those particulars or passages is regarded as confidential. Failure to provide such information may result in the application being refused by the Court.

183. On lodging an application for confidential treatment in respect of one or more procedural documents, a party must produce a full non-confidential version of each procedural document and item concerned, with the confidential particulars or passages removed.

184. Where an application for confidential treatment does not comply with points 179, 180 and 183 above, the Registrar shall request the party concerned to put the application in order. If, despite such a request, the application for confidential treatment is not made to comply with the requirements of these Practice Rules, it will not be

possible for it to be properly processed, and a copy of every procedural document and item concerned will be communicated to the intervener.

184a. No application for confidential treatment vis-à-vis the other parties to the proceedings may be made by an intervener.

C. Confidential treatment where cases are joined

185. Where it is envisaged that several cases will be joined, the parties are requested to state, within the time limit prescribed by the Registrar to that effect, whether they wish to seek confidential treatment in respect of certain information included in the procedural documents and material already placed on the files of the cases concerned by the joinder.

186. The parties must submit simultaneously with any procedural document or item that they may lodge subsequently any application for confidential treatment that may be required in respect of the procedural document or item concerned. In the absence of such an application, the procedural documents and items lodged will be made available to the other parties in the joined cases.

187. Points 179 to 184 above shall apply to applications for confidential treatment submitted where cases are joined.

D. Confidential treatment under Article 103 of the Rules of Procedure

188. The Court may, pursuant to the measures of inquiry referred to in Article 91 of the Rules of Procedure, order a party to produce information or material relating to the case. In accordance with Article 92(3) of the Rules of Procedure, such production may be ordered only where the party concerned has not complied with a measure of organisation of procedure previously adopted to that end, or where expressly requested by the party concerned by the measure and that party explains the need for such a measure to be in the form of an order for a measure of inquiry.

189. Where a main party submits in his response to an application for a measure of organisation of procedure that certain information or material is confidential and he therefore objects to its transmission or proposes that a measure of inquiry be adopted, the Court shall, if it considers that that information or material may be relevant in order for it to rule in the case, order its production by means of an order for a measure of inquiry under Article 91(b) of the Rules of Procedure. The treatment of confidential information or material

thus produced before the Court shall be governed by Article 103 of the Rules of Procedure. The regime in question does not provide for any derogation from the principle of the adversarial nature of the proceedings, but lays down the rules for the implementation of that principle.

190. In accordance with that provision, the Court shall examine the relevance of the information or material to the outcome of the proceedings and verify the confidential nature of that information or material. If it considers that the information concerned is both relevant to the outcome of the proceedings and confidential, the Court shall weigh that confidentiality against the requirements linked to the right to effective judicial protection, particularly observance of the adversarial principle, and, after weighing up those matters, will have two options.

191. The Court may decide that the information or material must be brought to the attention of the other main party, notwithstanding its confidential nature. In that respect, the Court may, by way of a measure of organisation of procedure, request the representatives of the parties other than the party who produced the confidential information to give an undertaking to preserve the confidentiality of the document or item by not communicating to their respective clients or to a third party the information that is to be disclosed to them. Any breach of that undertaking may result in Article 55 of the Rules of Procedure being applied.

192. Alternatively, the Court may decide not to communicate the confidential information, whilst nevertheless ensuring that the other main party is provided with non-confidential information so that he can, to the greatest extent possible, make his views known in compliance with the adversarial principle. The Court shall then order the main party who produced the confidential information to communicate certain particulars in such a way as to enable the preservation of the confidentiality of the information to be reconciled with the adversarial nature of the proceedings. It will, for example, be possible for the information to be transmitted in summarised form. If the Court considers that the other main party cannot properly exercise his rights of defence, it may make one or more orders, until it considers that the proceedings can properly be continued on an adversarial basis.

193. Where the Court considers that the communication of information to the other main party in accordance with the procedures prescribed by the order made under Article 103(3) of the Rules of Procedure has enabled that party to present his views effectively, the confidential information or material which has not been brought

to the attention of that party shall not be taken into consideration by the Court. The confidential information or material shall be removed from the file, and the parties informed accordingly.

E. Confidential treatment under Article 104 of the Rules of Procedure

194. In the context of its review of the legality of a measure adopted by an institution denying access to a document, the Court may order, by way of a measure of inquiry under Article 91(c) of the Rules of Procedure, that the document be produced.

195. The document produced by the institution shall not be communicated to the other parties, as the action would otherwise be devoid of purpose.

F. Confidential treatment under Article 105 of the Rules of Procedure

196. In accordance with Article 105(1) and (2) of the Rules of Procedure, a main party to the proceedings may, on his own initiative or following a measure of inquiry ordered by the Court, produce information or material pertaining to the security of the European Union or to that of one or more of its Member States or to the conduct of their international relations. Article 105(3) to (10) lays down the procedural rules applicable to such information or material.

197. In view of the sensitive, confidential nature of information or material pertaining to the security of the Union or to that of one or more of its Member States or to the conduct of their international relations, the application of the body of rules established by Article 105 of the Rules of Procedure requires a suitable security framework to be set up in order to ensure a high level of protection for that information or material. That framework is documented in the decision of the Court of 14 September 2016.

VII. LEGAL AID

198. In accordance with Article 147(2) of the Rules of Procedure, the use of a form in making an application for legal aid shall be compulsory. The form is available on the internet site of the Court of Justice of the European Union.

199. An applicant for legal aid who is not represented by a lawyer when the legal aid form is lodged may, in accordance with Article 147(6) of the Rules of Procedure, lodge the duly completed and signed paper

form at the Registry by post or physically deliver it to the address indicated in point 90 above. Forms not bearing a handwritten signature will not be processed.

200. Where the applicant for legal aid is represented by a lawyer when the legal aid form is lodged, the form shall be lodged in accordance with Article 72(1) of the Rules of Procedure, taking into account the requirements of points 77 to 79 above.

201. The legal aid form is intended to provide the Court, in accordance with Article 147(3) and (4) of the Rules of Procedure, with the information required to give an effective decision on the application for legal aid. The information required concerns:

– the legal aid applicant's financial situation

and,

– where the action has not yet been brought, the subject matter of that action, the facts of the case and the arguments relating thereto.

202. The legal aid applicant shall be required to produce, together with the legal aid form, documentary evidence to support the information referred to in point 201 above.

203. Where applicable, the documents referred to in Article 51(2) and (3) and Article 78(4) of the Rules of Procedure must be produced together with the legal aid form.

204. The duly completed legal aid form and supporting documents must be intelligible in themselves.

205. Without prejudice to the Court's power to request information or the production of further documents under Articles 89 and 90 of the Rules of Procedure, the application for legal aid may not be supplemented by the subsequent filing of additional material. Such material shall be rejected, unless it has been lodged at the request of the Court. In exceptional cases, supporting documents intended to establish the applicant's lack of means may nevertheless be accepted subsequently, subject to the delay in their production being adequately explained.

206. Under Article 147(7) of the Rules of Procedure, the introduction of an application for legal aid shall suspend the time limit prescribed for the bringing of the action to which the application refers until the date of service of the order making a decision on that application or, where no lawyer is designated in that order to represent the

applicant for legal aid, until the date of service of the order designating the lawyer instructed to represent him.

207. Since the lodging of an application for legal aid has the effect of suspending the time limit prescribed for bringing an action until service of the order referred to in point 206 above, the remaining period within which the application initiating proceedings may be lodged may be very short. Recipients of legal aid who are duly represented by a lawyer are therefore advised to pay particular attention to compliance with the legal time limit.

VIII. URGENT PROCEDURES

A. Expedited procedure

A.1. Request for an expedited procedure

208. In accordance with Article 152(1) of the Rules of Procedure, a request for an expedited procedure must be made by a separate document lodged simultaneously with the application initiating the proceedings or the defence, as the case may be, and contain a statement of reasons specifying the particular urgency of the case and any other relevant circumstances.

209. In order to facilitate immediate processing by the Registry, the request for an expedited procedure must state on the first page that it is lodged under Articles 151 and 152 of the Rules of Procedure.

210. The application in respect of which the expedited procedure is requested must not in principle exceed 25 pages. Such an application must be submitted in accordance with the requirements set out in points 112 to 121 above.

211. It is recommended that the party applying for the expedited procedure specify in his request the pleas in law, arguments or passages of the pleading in question (application or defence) which are put forward only in the event that the case is not decided under the expedited procedure. That information, referred to in Article 152(2) of the Rules of Procedure, must be clearly specified in the request, indicating the numbers of the paragraphs concerned.

A.2. Abridged version

212. It is recommended that an abridged version of the relevant pleading be annexed to any request for an expedited procedure which contains the information referred to in point 211 above.

213. Where an abridged version is annexed, it must comply with the following directions:

(a) the abridged version shall be in the same format as the original version of the pleading in question, with omitted passages being identified by the word 'omissis' in square brackets;

(b) paragraphs which are retained in the abridged version shall keep the same numbering as in the original version of the pleading in question;

(c) if the abridged version does not refer to all the annexes to the original version of the pleading in question, the schedule of annexes accompanying the abridged version shall identify each annex omitted by the word 'omissis';

(d) annexes which are retained in the abridged version must keep the same numbering as in the schedule of annexes in the original version of the pleading in question;

(e) the annexes referred to in the schedule accompanying the abridged version must be attached to that version.

214. In order to ensure that it is dealt with as expeditiously as possible, the abridged version must comply with the above directions.

215. Where the production of an abridged version of the pleading is requested by the Court under Article 151(3) of the Rules of Procedure, the abridged version must be prepared in accordance with the above directions, unless otherwise specified.

A.3. Defence

216. If the applicant has not specified in his request for an expedited procedure the pleas in law, arguments or passages of the application initiating the proceedings which are to be taken into consideration only in the event that the case is not decided under the expedited procedure, the defendant must respond to the application initiating the proceedings within a period of one month.

217. If the applicant has specified in his request for an expedited procedure the pleas in law, arguments or passages of the application initiating the proceedings which are to be taken into consideration only in the event that the case is not decided under the expedited procedure, the defendant must respond, within a period of one month, to the pleas in law and arguments advanced in the application, in the light of the information provided in the request for the expedited procedure.

218. If the applicant has attached an abridged version of the application initiating proceedings to his request for an expedited procedure, the defendant must respond, within a period of one month, to the pleas in law and arguments contained in that abridged version of the application.

219. If the Court decides to refuse the request for an expedited procedure before the defendant has lodged his defence, the period of one month for the lodging of the defence prescribed by Article 154(1) of the Rules of Procedure shall be extended by a further month.

220. If the Court decides to refuse the request for an expedited procedure after the defendant has lodged his defence within the period of one month prescribed by Article 154(1) of the Rules of Procedure, the defendant shall be allowed a further period of one month from the date of service of the decision refusing the request for an expedited procedure, in order to supplement his defence.

A.4. Oral part of the procedure

221. Under the expedited procedure, since the written part of the procedure is in principle limited to one exchange of pleadings, the emphasis shall be on the oral part of the procedure and a hearing shall be organised promptly after the written part of the procedure has been closed. The Court may nevertheless decide to rule without an oral part of the procedure where the main parties indicate, within a period prescribed by the President, that they have decided not to participate in a hearing and the Court considers that it has sufficient information available to it from the material in the file in the case.

222. Where the Court has not authorised the lodging of a statement in intervention, the intervener may submit his observations only orally, if a hearing is organised.

B. Suspension of operation or enforcement and other interim measures

223. In accordance with Article 156(5) of the Rules of Procedure, an application for suspension of operation or enforcement or other interim measures must be made by a separate document. It must be intelligible in itself, without necessitating reference to the application lodged in the main proceedings, including the annexes thereto.

224. In order to facilitate immediate processing by the Registry, the application for suspension of operation or enforcement or other interim measures must state on the first page that it is lodged under

Article 156 of the Rules of Procedure and, where appropriate, that it contains an application based on Article 157(2) of the Rules of Procedure.

225. The application for suspension of operation or enforcement or other interim measures must state, first, the subject matter of the proceedings and, clearly and concisely, the pleas of fact and law on which the main action is based, establishing a prima facie case on the merits in that action. It must state, secondly, precisely the measure(s) applied for. It must state, thirdly, giving reasons with documentary evidence, the circumstances giving rise to urgency.

225a. In accordance with the second sentence of Article 156(4) of the Rules of Procedure, the application for interim measures must contain all the evidence and offers of evidence available to justify the grant of interim measures. Thus, the judge hearing the application for interim measures must have specific and precise information, supported by detailed and, where appropriate, certified documentary evidence or offers of evidence showing the situation in which the party seeking the interim measures finds itself and enabling the probable consequences, should the measures sought not be granted, to be assessed.

226. Since an application for interim measures requires the existence of a prima facie case to be assessed for the purposes of a summary procedure, it need not set out in full the text of the application in the main proceedings.

227. In order that an application for interim measures may be dealt with urgently, the number of pages it contains must not in principle exceed a maximum of 25 pages, taking into account the subject matter and the circumstances of the case.

IX. ENTRY INTO FORCE OF THESE PRACTICE RULES

228. The Instructions to the Registrar of 5 July 2007 (OJ 2007 L 232, p. 1), as amended on 17 May 2010 (OJ 2010 L 170, p. 53) and on 24 January 2012 (OJ 2012 L 68, p. 20), and the Practice Directions to parties before the General Court of 24 January 2012 (OJ 2012 L 68, p. 23) are hereby repealed and replaced by these Practice Rules.

229. These Practice Rules shall be published in the *Official Journal of the European Union*. They shall enter into force on the first day of the first month following their publication.

ANNEXES

Annex 1: Requirements non-compliance with which is grounds for not serving the application (point 101 of these Practice Rules)

Failure to put the following points in order may result in the action being dismissed as inadmissible, in accordance with Article 78(6) and Article 177(6) of the Rules of Procedure.

	Direct actions (other than intellectual property cases)	**Intellectual property cases**
a)	production of the document referred to in Article 51(2) of the Rules of Procedure unless such a document has already been lodged for the purposes of opening an account giving access to e-Curia (Article 51(2) of the Rules of Procedure);	production of the document referred to in Article 51(2) of the Rules of Procedure unless such a document has already been lodged for the purposes of opening an account giving access to e-Curia (Article 51(2) of the Rules of Procedure);
b)	production of proof of the existence in law of a legal person governed by private law (Article 78(4) of the Rules of Procedure)	production of proof of the existence in law of a legal person governed by private law (Article 177(4) of the Rules of Procedure)
c)	production of authority to act if the party represented is a legal person governed by private law (Article 51(3) of the Rules of Procedure)	production of authority to act if the party represented is a legal person governed by private law (Article 51(3) of the Rules of Procedure)
d)	production of the contested measure (action for annulment) or of the documentary evidence of the date on which the institution was requested to act (action for failure to act) (second paragraph of Article 21 of the Statute; Article 78(1) of the Rules of Procedure)	production of the contested decision of the Board of Appeal (Article 177(3) of the Rules of Procedure)
e)	production of the complaint within the meaning of Article 90(2) of the Staff Regulations and the decision responding to the complaint (Article 78(2) of the Rules of Procedure)	

	Direct actions (other than intellectual property cases)	Intellectual property cases
f)	production of a copy of the contract containing the arbitration clause (Article 78(3) of the Rules of Procedure)	
g)		indication of the names of all the parties to the proceedings before the Board of Appeal and the addresses which they had given for the purposes of notifications, if the circumstances so require (Article 177(2) of the Rules of Procedure)
h)	indication of the dates on which the complaint within the meaning of Article 90(2) of the Staff Regulations was submitted and the decision responding to the complaint notified (Article 78(2) of the Rules of Procedure)	indication of the date on which the decision of the Board of Appeal was notified (Article 177(3) of the Rules of Procedure)

Annex 2: Procedural rules non-compliance with which justifies delaying service (point 102 of these Practice Rules)

a)	indication of the applicant's permanent address (first paragraph of Article 21 of the Statute; Article 76(a) and Article 177(1)(a) of the Rules of Procedure)
b)	indication of the address of the applicant's representative (Article 76(b) and Article 177(1)(b) of the Rules of Procedure)
c)	new original of the application the length of which will have been reduced (points 109 and 110 of these Practice Rules)
d)	new original of the application with identical content but with numbered paragraphs (point 81(c) of these Practice Rules)
e)	new, paginated original of the application with identical content (point 81(d) of these Practice Rules)
f)	production of a schedule of annexes containing the mandatory information (Article 72(3) of the Rules of Procedure; point 83 of these Practice Rules)
g)	production of the annexes mentioned in the application but not produced (Article 72(3) of the Rules of Procedure)
h)	production of paginated annexes (point 86(c) of these Practice Rules)
i)	production of numbered annexes (point 86(a) of these Practice Rules)

Annex 3: Procedural rules non-compliance with which does not prevent service (point 103 of these Practice Rules)

a)	production of the document referred to in Article 51(2) of the Rules of Procedure in respect of any additional lawyer, unless such a document has already been lodged for the purposes of opening an account giving access to e-Curia (Article 51(2) of the Rules of Procedure)
b)	in cases other than intellectual property cases, production of the summary of pleas in law and main arguments (points 118 and 119 of these Practice Rules)
c)	production of a translation into the language of the case of material drawn up in a language other than the language of the case (Article 46(2) of the Rules of Procedure)