

Case T-35/91

Eurosport Consortium
v
Commission of the European Communities
(Intervention)

Order of the Court of First Instance (First Chamber), 28 November
1991 II - 1360

Summary of the Order

Procedure — Intervention — Interested persons — Dispute relating to the validity of a decision applying the rules on competition — Complainant undertaking — Undertaking to which the decision was addressed failed to bring an independent action — Procedural rights
(Statute of the Court of Justice of the EEC, Art. 37)

The right to intervene in a dispute between one of the addressees of a Commission decision applying the rules on competition and the Commission is granted by Article 37 of the Statute of the Court to any person establishing an interest in the result of such a case. The undertaking whose complaint caused the proceeding to be initiated which was concluded by the decision at issue has such an interest. So does an undertaking

which, like the applicant, was the addressee of the decision and, as a result, enjoyed an independent right of action under the second paragraph of Article 173 of the Treaty. That interest is not negated by the fact that it did not bring such an action, but means that its rights as intervener must be confined to supporting the form of order sought by the applicant.