

**JUDGMENT OF THE COURT OF FIRST INSTANCE****of 12 December 2002****in Case T-247/01: eCopy Inc v Office for Harmonisation in the Internal Market (Trade Marks and Designs) (OHIM) <sup>(1)</sup>****(Community trade mark — ECOPLY — Misuse of powers — Distinctiveness acquired through use after the date of filing — Article 7(3) of Regulation (EC) No 40/94)**

(2003/C 44/53)

*(Language of the case: English)*

In Case T-247/01, eCopy Inc, established in Nashua, New Hampshire (United States), represented by B. Reid, Barrister, v Office for Harmonisation in the Internal Market (Trade Marks and Designs) (OHIM) (Agent: E. Joly): Action brought against the decision of the First Board of Appeal of the Office for Harmonisation in the Internal Market (Trade Marks and Designs) of 13 July 2001 (Case R 47/2001-1) relating to registration of the word ECOPLY as a Community trade mark, the Court of First Instance (Fourth Chamber), composed of: M. Vilaras, President, V. Tiili and P. Mengozzi, Judges; J. Plingers, Administrator, for the Registrar, has given a judgment on 12 December 2002, in which it:

1. Dismisses the application;
2. Orders the applicant to pay the costs.

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<sup>(1)</sup> OJ C 17 of 19.1.2002.

**JUDGMENT OF THE COURT OF FIRST INSTANCE****of 5 December 2002****in Case T-277/01: Romuald Stevens v Commission of the European Communities <sup>(1)</sup>****(Officials — Disciplinary proceedings — Criminal conviction — Removal from post with no loss of pension rights — Hearing provided for by the third paragraph of Article 7 of Annex IX to the Staff Regulations)**

(2003/C 44/54)

*(Language of the case: French)*

In Case T-277/01: Romuald Stevens, a former official of the Commission of the European Communities, residing in Bertem, Belgium, represented by J.-N. Louis and V. Peere, Lawyers, with an address for service in Luxembourg, against Commission of the European Communities (Agent: M. J. Cur-

rall) — application for annulment of the Commission's decision of 14 December 2000 removing the applicant from his post with no loss of pension rights — the Court of First Instance (Fifth Chamber), composed of J. D. Cooke, President, and K. Lenaerts and P. Lindh, Judges; D. Christensen, Administrator, for the Registrar, gave a judgment on 5 December 2002, in which it:

1. Dismissed the application;
2. Ordered each of the parties to bear its own costs.

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<sup>(1)</sup> OJ C 3 of 5.1.2002.

**JUDGMENT OF THE COURT OF FIRST INSTANCE****of 28 November 2002****in Case T-332/01: José Maria Pujals Gomis v Commission of the European Communities <sup>(1)</sup>****(Officials — Open competition — Application rejected after written tests)**

(2003/C 44/55)

*(Language of the case: Spanish)*

In Case T-332/01: José Maria Pujals Gomis, residing in Barcelona, Spain, represented by J. Pujals Gomis, Lawyer, against Commission of the European Communities (Agents: L. Lozano Palacios, F. Clotuche-Duvieusart, J. Rivas-Andres and J. Gutiérrez Gisbert) — application for annulment of the jury's decision of 28 September 2001 in open competition COM/B/1/01 rejecting the applicant's application in the competition and refusing to correct his written papers — the Court of First Instance (Third Chamber), composed of M. Jaeger, President, and K. Lenaerts and J. Azzizi, Judges; B. Pastor, Assistant Registrar, gave a judgment on 28 November 2002, in which it:

1. Dismissed the application;
2. Ordered each of the parties to bear its own costs.

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<sup>(1)</sup> OJ C 44 of 16.2.2002.