

declare it compatible with the common market and the EEA Agreement, subject to compliance with the undertakings proposed (Case COMP/M.2621 — SEB v Moulinex) — the Court of First Instance (Third Chamber), composed of K. Lenaerts, President, J. Azizi and M. Jaeger, Judges; J. Palacio, Principal Administrator, for the Registrar, gave a judgment on 3 April 2003, in which it:

1. *Annuls Commission Decision D/228078 of 8 January 2002 not to oppose the concentration between SEB and Moulinex and to declare it compatible with the common market and the EEA Agreement, subject to compliance with the undertakings proposed (Case COMP/M.2621 — SEB v Moulinex) so far as concerns the markets in Italy, Spain, Finland, the United Kingdom and Ireland;*
2. *Dismisses the remainder of the application;*
3. *Orders the applicant and the Commission to bear their own costs;*
4. *Orders SEB SA and De Longhi SpA to bear their own costs.*

(¹) OJ C 144 of 15.06.02.

JUDGMENT OF THE COURT OF FIRST INSTANCE

of 9 April 2003

in Case T-134/02: Miguel Tejada Fernández v Commission of the European Communities (¹)

(Officials — Promotion — Consideration of comparative merits — Action for annulment)

(2003/C 135/44)

(Language of the case: French)

In Case T-134/02: Miguel Tejada Fernández, an official of the Commission of the European Communities, residing in Woluwé-Saint-Étienne (Belgium), represented by L. Vogel, lawyer, with an address for service in Luxembourg, against Commission of the European Communities (Agent: C. Berardis-Kayser) — application for annulment of the decision of the Commission not to promote the applicant to Grade B 2 in the 2001 promotions procedure — the Court of First Instance

(Third Chamber), composed of K. Lenaerts, President of the Chamber, J. Azizi and M. Jaeger, Judges; Blanca Pastor, Deputy Registrar, gave a judgment on 9 April 2003, in which it:

1. *Annuls the decision of the Commission not to promote the applicant to Grade B 2 in the 2001 promotions procedure;*
2. *Orders the Commission to pay the costs;*

(¹) OJ C 156 of 29.6.02.

ORDER OF THE COURT OF FIRST INSTANCE

of 1 April 2003

in Case T-11/01: Catherine Mascetti v Commission of the European Communities (¹)

(Contract as a member of the temporary staff — Admissibility — Act adversely affecting an official — Compliance with time-limits under the Staff Regulations — Second renewal of a contract as a member of the temporary staff — Articles 2(d), 8 and 47 of the CEOS)

(2003/C 135/45)

(Language of the case: Italian)

In Case T-11/01: Catherine Mascetti, a former member of the temporary staff of the Commission of the European Communities, residing in Leggiuno (Italy), represented by B. Nascimbene and M. Condinanzi, lawyers, with an address for service in Luxembourg, against Commission of the European Communities (Agents: F. Clotuche-Duvieusart and A. Dal Ferro) — application for annulment of the decision of 28 September 2000 by which the authority empowered to conclude contracts of employment rejected the complaint lodged by the applicant seeking a declaration that the employment relationship which bound her to the Commission was a relationship of indefinite period under a contract as a member of the temporary staff pursuant to Article 2(d) of the Conditions of Employment of other Servants, renewed on more than one occasion with the effects referred to in the last paragraph of Article 8 of those conditions — the Court of First Instance (Fifth Chamber), composed of R. García-Valdecasas, President of the Chamber, P. Lindh and J.D. Cooke, Judges; H. Jung, Registrar, made an order on 1 April 2003, the operative part of which is as follows:

1. *The action is dismissed as inadmissible.*
2. *The parties are to bear their own costs.*

(¹) OJ 2001 C 95.