

**Judgment of the Court of First Instance of 13 September 2005 — Atienza Morales v Commission**

(Case T-99/03) <sup>(1)</sup>

*(Officials — Remuneration — Expatriation allowance — Article 4(1)(a) of Annex VII to the Staff Regulations — Meaning of ‘international organisation’)*

(2005/C 257/15)

Language of the case: French

**Parties:**

*Applicant(s):* Maria Luisa Atienza Morales (Brussels, Belgium) (represented by: É. Boigelot, lawyer)

*Defendant(s):* Commission of the European Communities (represented by: J. Curral and V. Joris, agents)

**Application for:**

(i) annulment of the Commission’s decision of 20 June 2002 refusing to grant the applicant payment of the expatriation allowance laid down in Article 4(1)(a) of Annex VII to the Staff Regulations of Officials of the European Communities and the Commission’s decision of 13 December 2002 rejecting the complaint brought to that end and (ii) payment of that allowance from 1 April 2002

**Operative part of the judgment:**

The Court:

- 1) *Dismisses the application;*
- 2) *Orders each party to bear its own costs.*

<sup>(1)</sup> OJ C 124 , 24.5.2003.

**Judgment of the Court of First Instance of 8 September 2005 — CeWe Color v OHIM**

(Joined Cases T-178/03 and 179/03) <sup>(1)</sup>

*(Community trade mark — Word signs DigiFilm and DigiFilmMaker — Absolute grounds for refusal — Article 7(1)(b) and (c) of Regulation (EC) No 40/94)*

(2005/C 257/16)

Language of the case: German

**Parties:**

*Applicant(s):* CeWe Color AG & Co. OHG (Oldenburg, Germany) (represented by C. Spintig, S. Richter, U. Sander and H. Förster, lawyers)

*Defendant(s):* Office for Harmonisation in the Internal Market (Trade Marks and Designs) (represented by I Mayer and M.G. Schneider, Agents)

**Application for:**

annulment of the decisions of the Third Board of Appeal of OHIM of 12 March 2003 (Cases R 638/2002-3 and R 641/2002-3), in relation to registration of the word signs DigiFilmMaker and DigiFilm as Community trade marks

**Operative part of the judgment:**

The Court:

1. *Dismisses the actions.*
2. *Orders the applicant to pay the costs.*

<sup>(1)</sup> OJ C 184, 2.8.2003

**Judgment of the Court of First Instance of 13 September 2005 — Fernández Gómez v Commission**

(Case T-272/03) <sup>(1)</sup>

*(Staff cases — Temporary agent — Article 2(a) of the CEOS — Admissibility — Confirmatory act — Limitation of the duration of the contract — Possibility of renewal — Anti-overlap rule — Period worked as a national expert on secondment — Discretionary power of the Commission)*

(2005/C 257/17)

Language of the case: French

**Parties:**

*Applicant(s):* Maria Dolores Fernández Gómez (Brussels, Belgium) (represented initially by J. Iturriagoitia Bassas and K. Delvolvé and then by J. Iturriagoitia Bassas, lawyers)

*Defendant(s):* Commission of the European Communities (represented initially by J. Curral, H. Tserepa-Lacombe and F. Clotuche-Duvieusart and then J. Curral and H. Tserepa-Lacombe, as agents)