

Defendant: Office for Harmonisation in the Internal Market (Trade Marks and Designs) (represented by: A. Folliard-Monguiral, acting as Agent)

Other party to the proceedings before the Board of Appeal of OHIM: Maquet SAS (Ardon, France) (represented by: N. Hebeis, lawyer)

Re:

Action brought against the decision of the Fourth Board of Appeal of OHIM of 13 February 2012 (Case R 67/2011-4), relating to opposition proceedings between Capella EOOD and Maquet SAS.

Operative part of the judgment

The Court:

- 1) *Dismisses the action;*
- 2) *Orders Copernicus-Trademarks Ltd to bear its own costs and to pay the costs incurred by the Office for Harmonisation in the Internal Market (Trade Marks and Designs) (OHIM) and by Maquet SAS.*

⁽¹⁾ OJ C 200, 7.7.2012.

Judgment of the General Court of 19 June 2015 — Z v Court of Justice

(Case T-88/13 P) ⁽¹⁾

(Appeal — Civil service — Officials — Impartiality on the part of the Civil Service Tribunal — Application for the recusal of a judge — Reassignment — Interests of the service — Rule that the grade must correspond with the post — Article 7(1) of the Staff Regulations — Disciplinary proceedings — Rights of the defence)

(2015/C 262/22)

Language of the case: French

Parties

Appellant: Z (Luxembourg, Luxembourg) (represented by: F. Rollinger, lawyer)

Other party to the proceedings: Court of Justice of the European Union (represented by: A. Placco, acting as Agent)

Re:

Appeal brought against the judgment of the European Union Civil Service Tribunal (Third Chamber) of 5 December 2012 in *Z v Court of Justice* (F-88/09 and F-48/10, ECR-SC, EU:F:2012:171), and seeking to have that judgment set aside.

Operative part of the judgment

The Court:

1. *Sets aside the judgment of the European Union Civil Service Tribunal (Third Chamber) in Z v Court of Justice (F 88/09 and F 48/10, ECR-SC, EU:F:2012:171), in so far as it rejected as ineffective the plea in law, raised in Case F-48/10, alleging lack of competence on the part of the Complaints Committee and illegality of Article 4 of the decision of the Court of Justice of the European Union of 4 May 2004 concerning the exercise of the powers conferred by the Staff Regulations of Officials of the European Union on the appointing authority and by the Conditions of Employment of Other Servants of the European Union on the authority empowered to conclude contracts of employment;*
2. *Dismisses the appeal as to the remainder;*

3. Dismisses the appeal in Case F-48/10 in so far as it was based on the ground of appeal alleging lack of competence on the part of the Complaints Committee and illegality of Article 4 of the decision of the Court of Justice of 4 May 2004 concerning the exercise of the powers conferred by the Staff Regulations of Officials of the European Union on the appointing authority and by the Conditions of Employment of Other Servants of the European Union on the authority empowered to conclude contracts of employment;
4. As regards the costs incurred in the present appeal proceedings, orders Z to bear three quarters of his own costs and three quarters of the costs incurred by the Court of Justice, and orders the Court of Justice to bear one quarter of its own costs and one quarter of the costs incurred by Z.

⁽¹⁾ OJ C 233, 10.8.2013.

Judgment of the General Court of 25 June 2015 — SACE and Sace BT v Commission

(Case T-305/13) ⁽¹⁾

(State aid — Export credit insurance — Reinsurance granted by a public undertaking to its subsidiary — Capital contributions to cover the subsidiary's losses — Notion of State aid — Imputability to the State — Private investor test — Obligation to state reasons)

(2015/C 262/23)

Language of the case: Italian

Parties

Applicants: Servizi assicurativi del commercio estero SpA (SACE) (Rome, Italy); and Sace BT SpA (Rome) (represented by: M. Siragusa and G. Rizza, lawyers)

Defendant: European Commission (represented by: G. Conte, D. Grespan and K. Walkeroová, acting as Agents)

Intervener in support of the applicants: Italian Republic (represented by: G. Palmieri, acting as Agent, assisted by S. Fiorentino, avvocato dello Stato)

Re:

Application for annulment of Commission Decision 2014/525/EU of 20 March 2013 on the measures SA.23425 (11/C) (ex NN 41/10) implemented by Italy in 2004 and 2009 for SACE BT S.p.A. (OJ 2014 L 239, p. 24).

Operative part of the judgment

The Court:

1. Annuls Article 2(2) of Commission Decision 2014/525/EU of 20 March 2013 on the measures SA.23425 (11/C) (ex NN 41/10) implemented by Italy in 2004 and 2009 for SACE BT S.p.A.;
2. Dismisses the action as to the remainder;
3. Servizi assicurativi del commercio estero SpA (SACE) and Sace BT shall bear their own costs, including those relating to the interlocutory proceedings;