

Judgment of the General Court of 29 November 2017 — Montel v Parliament(Case T-634/16) ⁽¹⁾

(Rules governing the payment of expenses and allowances to Members of the European Parliament — Parliamentary assistance allowance — Recovery of sums wrongfully paid — Power of the Secretary-General — Electa una via — Rights of the defence — Burden of proof — Obligation to state reasons — Legitimate expectations — Political rights — Equal treatment — Misuse of power — Independence of the Members — Error of fact — Proportionality)

(2018/C 022/50)

Language of the case: French

Parties

Applicant: Sophie Montel (Saint-Vit, France) (represented by: G. Sauveur, lawyer)

Defendant: European Parliament (represented by: G. Corstens and S. Seyr, acting as Agents)

Intervener in support of the defendant: Council of the European Union (represented by: M. Bauer, R. Meyer and A. Jensen, acting as Agents)

Re:

Application on the basis of Article 263 TFEU seeking the annulment of the decision of the Secretary-General of the Parliament of 24 June 2016 concerning the recovery of a sum of EUR 77 276,42 wrongfully paid as parliamentary assistance allowance, of the notification and measures implementing that decision contained in the letters of the Director-General for Finance of the Parliament of 5 and 6 July 2016 and the debit note of 4 July 2016 relating thereto and application on the basis of Article 268 TFEU seeking compensation of the loss which the applicant allegedly suffered due, in particular, to that decision.

Operative part of the judgment

The Court:

1. Annuls the decision of the Secretary-General of the Parliament of 24 June 2016 concerning the recovery from Ms Sophie Montel of a sum of EUR 77 276,42 wrongfully paid as parliamentary assistance allowance and the debit note of 4 July 2016 relating thereto insofar as they concern sums paid between February and April 2015;
2. Dismisses the remainder of the action;
3. Orders Ms Montel, the European Parliament and the Council of the European Union each to bear their own costs.

⁽¹⁾ OJ C 383, 17.10.2016.

Judgment of the General Court of 30 November 2017 — Koton Mağazacılık Tekstil Sanayi ve Ticaret v EUIPO — Nadal Esteban (STYLO & KOTON)(Case T-687/16) ⁽¹⁾

(EU trade mark — Invalidity proceedings — EU figurative mark STYLO & KOTON — Absolute ground for refusal — Article 52(1)(b) of (EC) Regulation No 207/2009 (now Article 59(1)(b) of (EU) Regulation 2017/1001) — No bad faith)

(2018/C 022/51)

Language of the case: English

Parties

Applicant: Koton Mağazacılık Tekstil Sanayi ve Ticaret AŞ (Istanbul, Turkey) (represented by: J. Güell Serra and E. Stoyanov Edisonov, lawyers)