

Defendant: European Commission (represented: initially by N. Bambara and E. Manhaeve, and subsequently by E. Manhaeve, acting as Agents, assisted by P. Wytinck and B. Hoorelbeke, lawyers)

Re:

Application, first, for annulment of the Commission's decision of 21 November 2008 to reject the tender submitted by the applicant in the context of call for tenders REGIO-A4-2008-01 for the maintenance and development of the Directorate-General for Regional Policy's information systems (OJ 2008/S 117-155067) and the decision to award the contract to another tenderer and, secondly, for damages.

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders *Evropaiki Dynamiki — Proigmena Systemata Tilepikoinon Pliroforikis kai Tilematikis AE* to pay the costs.

⁽¹⁾ OJ C 90, 18.4.2009.

Judgment of the General Court of 19 April 2012 — Würth and Fasteners v Council

(Case T-162/09) ⁽¹⁾

(Actions for annulment — Dumping — No individual concern — Inadmissibility)

(2012/C 165/28)

Language of the case: German

Parties

Applicants: Adolf Würth GmbH & Co. KG (Künzelsau, Germany) and Arnold Fasteners (Shenyang) Co. Ltd (Shenyang, China) (represented by: M. Karl and M. Mayer, lawyers)

Defendant: Council of the European Union (represented by: initially J.-P. Hix, Agent, assisted by G. Berrisch and G. Wolf, lawyers, then J.-P. Hix and B. Driessen, Agents, assisted by G. Berrisch)

Parties intervening in support of the defendant: European Commission: (represented by: H. van Vliet and B. Martenczuk, Agent); and European Industrial Fasteners Institute AISBL (EIFI) (Brussels, Belgium) (represented by: initially J. Bourgeois, Y. van Gerven and E. Wäktare, then J. Bourgeois, lawyers)

Re:

Application for annulment of Council Regulation (EC) No 91/2009 of 26 January 2009 imposing a definitive anti-dumping duty on imports of certain iron or steel fasteners originating in the People's Republic of China (OJ 2009 L 29, p. 1).

Operative part of the judgment

The Court:

1. Dismisses the action as inadmissible.
2. Orders *Adolf Würth GmbH & Co. KG and Arnold Fasteners (Shenyang) Co. Ltd* to bear their own costs and to pay those incurred by the Council of the European Union and by the European Industrial Fasteners Institute AISBL.
3. Order the European Commission to bear its own costs.

⁽¹⁾ OJ C 167, 18.07.2009.

Judgment of the General Court of 27 April 2012 — De Nicola v EIB

(Case T-37/10) ⁽¹⁾

(Appeal — Civil service — Staff of the EIB — Appraisal — Promotion — Appraisal and promotion in respect of 2006 — Decision of the Appeals Committee — Scope of the review — Sickness insurance — Refusal to bear medical costs — Claim for compensation)

(2012/C 165/29)

Language of the case: Italian

Parties

Appellant: Carlo De Nicola (Strassen, Luxembourg) (represented by: L. Isola, lawyer)

Other party to the proceedings: European Investment Bank (represented by: G. Nuvoli and F. Martin, acting as Agents, and A. Dal Ferro, lawyer)

Re:

Appeal against the judgment of the European Union Civil Service Tribunal (First Chamber) of 30 November 2009 in Case F-55/08 *De Nicola v European Investment Bank*, not yet published in the ECR, 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 (First Chamber) in Case F-55/08 *De Nicola v EIB* [2009], not yet published in the ECR, in so far as it dismisses, firstly, Mr Carlo De Nicola's claims seeking annulment of the decision of the Appeals Committee of the European Investment Bank (EIB); secondly, his claims seeking annulment of the decision to refuse his promotion for 2006 and all the acts connected with, consecutive and prior to that decision; and, thirdly, his claims seeking recognition of the liability of the EIB for the harassment of him which it carried out and seeking compensation for the losses alleged on that basis;
2. Dismisses the remainder of the appeal;