

**Action brought on 15 March 2010 — Daake v OHIM****(Case F-17/10)**

(2010/C 134/93)

*Language of the case: German***Parties***Applicant:* Simone Daake (Alicante, Spain) (represented by: H. Tettenborn, lawyer)*Defendant:* Office for Harmonisation in the Internal Market (Trade Marks and Designs)**Subject-matter and description of the proceedings**

Annulment of OHIM's decision of 4 December 2009 rejecting the applicant's claims for compensation

**Form of order sought**

— Order OHIM to compensate the applicant for material damage amounting to the difference between:

on the one hand, her actual salary according to her formal classification as a member of the contract staff under Article 3a of the Conditions of Employment of other Servants ('CEOS') from 1 November 2005 until 31 October 2008 and the unemployment benefits paid to her from 1 November 2008 until today, and

on the other hand, the salary to which she was entitled as a member of the temporary staff under Article 2(a) of the CEOS from 1 November 2005 until 31 October 2008 and the unemployment benefits to which she was entitled from 1 November 2008 until today, calculated according to her salary for October 2008 under Article 2(a) of the CEOS –

together with the resulting losses to retirement pension and other indemnities, salary and benefits taking into account appropriate promotion based on her performance until 1 April 2008,

and — to the extent required in order for the compensation applied for to be granted — annul the decisions of OHIM of 6 May 2009 and 4 December 2009;

— order OHIM to compensate the applicant for the non-material damage caused by the discrimination vis-à-vis other OHIM employees in an amount to be determined by the Tribunal;

— order OHIM to pay the costs.

**Action brought on 18 March 2010 — Capidis v Commission****(Case F-18/10)**

(2010/C 134/94)

*Language of the case: French***Parties***Applicant:* Georges Capidis (Zellik, Belgium) (represented by: S. Orlandi, A. Coolen, J.-N. Louis and É. Marchal, lawyers)*Defendant:* European Commission**Subject-matter and description of the proceedings**

Annulment of the decision imposing a disciplinary sanction on the applicant in the form of downgrading.

**Form of order sought**

— Annul the decision imposing a disciplinary sanction on the applicant in the form of downgrading by one grade, as provided for in Article 9(1)(f) of Annex IX of the Staff Regulations;

— Order the European Commission to pay the costs.