

*Defendant:* European Commission (represented by: initially, L. Di Paolo and L. Cappelletti, subsequently L. Di Paolo, and finally O. Verheecke and F. Moro, acting as Agents, and A. Dal Ferro, lawyer)

**Re:**

First, application based on Article 272 TFEU seeking, in essence, a declaration that the Commission is not justified in reclaiming from the applicant the sum of EUR 80 242,78 pursuant to the Grant Agreement HOME/2011/PPRS/AG/2176 and a direction requiring the Commission to pay EUR 52 146,36 plus default interest, and, second, counterclaim of the Commission seeking a direction requiring the applicant to repay the sum of EUR 80 242,78 plus default interest in performance of that Grant Agreement.

**Operative part of the judgment**

*The Court:*

1. Declares that the European Commission is not justified, pursuant to the Grant Agreement with the reference HOME/2011/PPRS/AG/2176, to reclaim from Nova Onlus Consorzio nazionale di cooperative sociali — Soc. coop. 15 % of the costs associated with the website of the Transnational Observatory for Refugees' Resettlement in Europe project, namely EUR 3 002,45;
2. Dismisses the action as to the remainder;
3. Orders Nova Onlus Consorzio nazionale di cooperative sociali to pay to the Commission, pursuant to that agreement, the amount of EUR 77 240,33, increased by default interest at the rate of 3,55 % from 19 May 2015 until full payment of that amount is made;
4. Dismisses the counterclaim as to the remainder;
5. Orders Nova Onlus Consorzio nazionale di cooperative sociali to bear its own costs and to pay two thirds of those incurred by the Commission;
6. Orders the Commission to bear one third of its own costs.

<sup>(1)</sup> OJ C 254, 3.8.2015.

**Judgment of the General Court of 24 October 2018 — Epsilon International v Commission**  
(Case T-477/16) <sup>(1)</sup>

**(Arbitration clause — Contracts concluded under the Seventh Framework Programme for research, technological development and demonstration activities (2007-2013) — Interest in bringing proceedings — Eligible costs — Suspension of payment — Application for annulment — Decision to register the applicant in the central database of the Early Detection and Exclusion System (EDES) — Act not open to challenge — Inadmissibility)**

(2018/C 445/19)

Language of the case: English

**Parties**

*Applicant:* Epsilon International SA (Marousi, Greece) (represented by: D. Bogaert and A. Guillerme, lawyers)

*Defendant:* European Commission (represented by: J. Estrada de Solà, A. Katsimerou and A. Kyratsou, acting as Agents)

**Re:**

Application, first, under Article 272 TFEU for a declaration (i) that the amounts paid by the Commission under the Briseide, i-SCOPE and Smart-Islands grant agreements constitute eligible costs; (ii) that the Commission's decisions to suspend payments in respect of the i-Locate, eENV-Plus, GeoSmartCity and c-Space projects are unfounded; (iii) that the Commission's unlawful conduct caused damage to the applicant; and, second, (i) under Article 263 TFEU for annulment of the decision of the Commission of 17 June 2016 (Ares (2016) 2835215) registering EPSILON in the Early Detection and Exclusion System (EDES) database and (ii) under Article 268 TFEU for the award of compensation in respect of the damage allegedly suffered by the applicant as a result of that act.

**Operative part of the judgment**

The Court:

1. Dismisses the action;
2. Orders Epsilon International SA to pay the costs.

<sup>(1)</sup> OJ C 402, 31.10.2016.

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**Judgment of the General Court of 24 October 2018 — Grupo Orenes v EUIPO — Akamon Entertainment Millenium (Bingo VIVA! Slots)**

(Case T-63/17) <sup>(1)</sup>

*(European Union trade mark — Opposition proceedings — Application for European Union figurative mark Bingo VIVA! Slots — Earlier European Union figurative mark vive bingo — Relative ground for refusal — Likelihood of confusion — Article 8(1)(b) of Regulation (EC) No 207/2009 (now Article 8(1)(b) of Regulation (EU) 2017/1001) — Subject matter of the dispute)*

(2018/C 445/20)

Language of the case: Spanish

**Parties**

*Applicant:* Grupo Orenes (Murcia, Spain) (represented by: M. J. Sanmartín Sanmartín, lawyer)

*Defendant:* European Union Intellectual Property Office (represented by: S. Palmero Cabezas, acting as Agent)

*Other party to the proceedings before the Board of Appeal of EUIPO:* Akamon Entertainment Millenium (Barcelona, Spain)

**Re:**

Action brought against the decision of the Second Board of Appeal of EUIPO of 7 November 2016 (Case R 453/2016-2) concerning opposition proceedings between Grupo Orenes and Akamon Entertainment Millenium.

**Operative part of the judgment**

The Court:

1. Dismisses the action;
2. Orders Grupo Orenes to pay the costs.

<sup>(1)</sup> OJ C 95, 27.3.2017.

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**Judgment of the General Court of 24 October 2018 — Fernández González v Commission**

(Case T-162/17 RENV) <sup>(1)</sup>

*(Civil service — Members of the temporary staff — Article 2(c) of the Conditions of Employment of Other Servants of the European Union — Vacancy notice relating to a temporary agent post falling under Article 2(b) of the Conditions of Employment of Other Servants of the European Union — Rejection of application — Plea of illegality — Article 8 of the Conditions of Employment of Other Servants of the European Union — Liability — Loss of opportunity)*

(2018/C 445/21)

Language of the case: French

**Parties**

*Applicant:* Elia Fernández González (Brussels, Belgium) (represented by: M. Casado García-Hirschfeld and É. Boigelot, lawyers)