

Defendant: European Union Intellectual Property Office (represented by: S. Palmero Cabezas and J. Crespo Carrillo, acting as Agents)

Other party to the proceedings before the Board of Appeal of EUIPO, intervener before the General Court: Visán Industrias Zootécnicas, SL (Arganda, Spain) (represented by: P. Alesci Naranjo, lawyer)

Re:

Action brought against the decision of the Second Board of Appeal of EUIPO of 13 June 2016 (Case R 229/2016-2), relating to opposition proceedings between Visán Industrias Zootécnicas and Cotécnica.

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders Cotécnica, SCCL to bear its own costs and to pay those incurred by the European Union Intellectual Property Office (EUIPO);
3. Orders Visán Industrias Zootécnicas, SL to bear its own costs.

⁽¹⁾ OJ C 371, 10.10.2016.

Judgment of the General Court of 22 November 2017 — von Blumenthal and Others v EIB

(Case T-558/16) ⁽¹⁾

(Civil Service — Staff of the EIB — Reform of the system of remuneration and salary progression — Plea of illegality — Equal treatment — Liability)

(2018/C 013/25)

Language of the case: French

Parties

Applicants: Henry von Blumenthal (Bergem, Luxembourg), Marc D’Hooge (Luxembourg, Luxembourg), Giulia Gaspari (Luxembourg), Patrick Vanhoudt (Gonderange, Luxembourg) and Dalila Bundy (Cosnes-et-Romain, France) (represented by: L. Levi, lawyer)

Defendant: European Investment Bank (EIB) (represented initially by: C. Gómez de la Cruz, G. Nuvoli and T. Gilliams, and subsequently by: T. Gilliams and G. Faedo, acting as Agents, and P.-E. Partsch, lawyer)

Re:

— Application on the basis of Article 270 TFEU seeking, firstly, annulment of the decisions, contained in the salary statements of April 2015 and thereafter, to apply to the applicants the decision of the Board of Directors of the defendant of 16 December 2014 and the decision of the Management Committee of the defendant of 4 February 2015, and of the notices drawn up in April 2015 concerning the performance rewards and, secondly, an order that the EIB pay the applicants, firstly, the difference between the remuneration resulting from the decisions cited above and that due in accordance with the obligations of the EIB and, secondly, damages in respect of the pecuniary harm, as a result of the loss of purchasing power, allegedly suffered by the applicants and compensation for the non-pecuniary harm allegedly suffered by the applicants.

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders Mr Henry von Blumenthal, Mr Marc D'Hooge, Ms Giulia Gaspari, Mr Patrick Vanhoudt and Ms Dalila Bundy to pay the costs.

⁽¹⁾ OJ C 414, 14.12.2015 (case initially registered before the European Union Civil Service Tribunal under number F-99/15 and transferred to the General Court of the European Union on 1.9.2016).

Judgment of the General Court of 23 November 2017 — PF v Commission

(Case T-617/16) ⁽¹⁾

(Civil service — Officials — Promotion — 2015 promotion exercise — Articles 43 and 45(1) of the Staff Regulations — Duty to provide a statement of reasons — Consideration of comparative merits — Use of languages in the context of the duties performed by administrators assigned to linguistic duties and by administrators assigned to non-linguistic duties — Legitimate absences — Manifest error of assessment)

(2018/C 013/26)

Language of the case: French

Parties

Applicant: PF (represented by: S. Orlandi and T. Martin, lawyers)

Defendant: European Commission (represented by: G. Berscheid and C. Berardis-Kayser, acting as Agents)

Re:

Application under Article 270 TFEU seeking annulment of the Commission's decision not to promote the applicant to Grade AD 8 in the 2015 promotion exercise.

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders PF to pay the costs.

⁽¹⁾ OJ C 371, 10.10.2016 (Case initially registered before the European Union Civil Service Tribunal as Case F-47/16 and transferred to the General Court of the European Union on 1 September 2016).

Judgment of the General Court of 22 November 2017 — HD v Parliament

(Case T-652/16 P) ⁽¹⁾

(Appeal — Officials — Remuneration — Family allowances — Education allowance — Prohibition of overlapping allowances of the same type — Claim for recovery of undue payments — Protection of personal data — Obligation to state reasons)

(2018/C 013/27)

Language of the case: French

Parties

Appellant: HD (represented by: C. Bernard-Glanz, lawyer)