

Judgment of the General Court of 19 July 2017 — Dessi v EIB(Case T-510/16) ⁽¹⁾**(Civil Service — EIB staff — Appraisal — Promotion — Appraisal and promotion year 2012 — Decision of the Appeal Committee — Scope of review — Staff representatives — Discrimination)**

(2017/C 283/68)

*Language of the case: French***Parties**

Applicant: Nathalie Dessi (Luxembourg, Luxembourg) (represented initially by: A. Senes and L. Payot, and subsequently by: L. Levi, lawyers)

Defendant: European Investment Bank (EIB) (represented initially by: C. Gómez de la Cruz and E. Raimond, subsequently by: E. Raimond and G. Faedo, and finally by: G. Faedo and K. Carr, acting as Agents, and A. Dal Ferro, lawyer)

Re:

Application on the basis of Article 270 TFEU seeking the annulment of the decision of the EIB Appeal Committee of 23 October 2013, by which it rejected the applicant's request for a review of her staff report for 2012 in that that report did not recommend to the President of the EIB that she be promoted from function group F to function group E.

Operative part of the judgment

The Court:

1. *Annuls the decision of the EIB Appeal Committee of 23 October 2013, by which it rejected Ms Nathalie Dessi's request for a review of her staff report for 2012 in that that report did not recommend to the President of the EIB that she be promoted from function group F to function group E;*
2. *Orders the EIB to pay the costs.*

⁽¹⁾ OJ C 85, 22.3.2014 (case initially registered at the European Union Civil Service Tribunal as Case F-8/14 and transferred to the General Court of the European Union on 1.9.2016).

Judgment of the General Court of 13 July 2017 — OZ v EIB(Case T-607/16) ⁽¹⁾**(Civil service — EIB staff — Sexual harassment — Investigation procedure — Investigation Panel's report — Decision of the President of the EIB not to act on the complaint — No unlawful conduct by the EIB — Liability)**

(2017/C 283/69)

*Language of the case: English***Parties**

Applicant: OZ (represented by: B. Maréchal, lawyer)

Defendant: European Investment Bank (EIB) (represented by: T. Gilliams, E. Raimond and G. Faedo, acting as Agents, and by A. Dal Ferro, lawyer)

Re:

Application under Article 270 TFEU seeking, first, annulment of the report of the Investigation Panel of the EIB of 14 September 2015 and the decision of the President of the EIB of 16 October 2015 not to act on the complaint of sexual harassment filed by the applicant and, second, compensation for the damage which the applicant claims to have suffered following that report and that decision.

Operative part of the judgment

The Court:

1. *Dismisses the action;*
2. *Orders OZ to pay the costs.*

⁽¹⁾ OJ C 335, 12.9.2016 (case initially registered before the European Union Civil Service Tribunal as Case F-37/16 and transferred to the General Court of the European Union on 1 September 2016).

Judgment of the General Court of 13 July 2017 — LG Electronics v EUIPO (QD)

(Case T-650/16) ⁽¹⁾

(EU trade mark — Application for the EU word mark QD — Absolute grounds for refusal — Descriptive character — No distinctive character — Article 7(1)(b) and (c) of Regulation (EC) No 207/2009)

(2017/C 283/70)

Language of the case: English

Parties

Applicant: LG Electronics, Inc. (Seoul, South Korea) (represented by: R. Schiffer, lawyer)

Defendant: European Union Intellectual Property Office (represented by: M. Rajh, acting as Agent)

Re:

Action brought against the decision of the First Board of Appeal of EUIPO of 24 May 2016 (Case R 2046/2015-1), relating to an application for registration of the word sign QD as an EU trade mark.

Operative part of the judgment

The General Court:

1. *Dismisses the action;*
2. *Orders LG Electronics, Inc. to pay the costs.*

⁽¹⁾ OJ C 402, 31.10.2016.

Judgment of the General Court of 18 July 2017 — Commission v RN

(Case T-695/16) ⁽¹⁾

(Appeal — Civil Service — Officials — Surviving spouse — Pensions — Survivor's pension — Article 20 of Annex VIII to the Staff Regulations — Conditions for eligibility — Error of law)

(2017/C 283/71)

Language of the case: French

Parties

Appellant: European Commission (represented by: A.-C. Simon, F. Simonetti and G. Gattinara, acting as Agents)

Other parties to the proceedings: RN (represented by: F. Moyses, lawyer) and European Parliament (represented by: M. Ecker and E. Taneva, acting as Agents)

Re:

Appeal brought against the judgment of the European Union Civil Service Tribunal (Third Chamber) of 20 July 2016, RN v Commission (F-104/15, EU:F:2016:163) seeking to have that judgment set aside.