

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)

Other party to the proceedings: European Parliament (represented by: M. Ecker and L. Deneys, acting as Agents)

Re:

Appeal brought against the judgment of the Civil Service Tribunal of the European Union (First Chamber) of 21 July 2016, *HD v Parliament* (F-136/15, EU:F:2016:169), seeking to have that judgment set aside.

Operative part of the judgment

The Court:

1. Dismisses the appeal;
2. Orders HD to pay the costs.

⁽¹⁾ OJ C 419, 14.11.2016.

Judgment of the General Court of 22 November 2017 — Toontrack Music v EUIPO (EZMIX)

(Case T-771/16) ⁽¹⁾

(European Union trade mark — Application for EU word mark EZMIX — Absolute ground for refusal — Descriptive character — Article 7(1)(c) of Regulation (EC) No 207/2009 (now Article 7(1)(c) of Regulation (EU) 2017/1001) — Equal treatment and principle of sound administration)

(2018/C 013/28)

Language of the case: Swedish

Parties

Applicant: Toontrack Music AB (Umeå, Sweden) (represented by: L.-E. Ström, lawyer)

Defendant: European Union Intellectual Property Office (represented by: A. Söder and D. Hanf, acting as Agents)

Re:

Action brought against the decision of the Fifth Board of Appeal of EUIPO of 27 July 2016 (Case R 2436/2015-5) concerning an application for registration of word mark EZMIX as an EU trade mark.

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders Toontrack Music AB to pay the costs.

⁽¹⁾ OJ C 14, 16.1.2017.

Order of the General Court of 9 November 2017 — Bowles v ECB

(Case T-564/16) ⁽¹⁾

(Civil service — ECB Staff — Remuneration — Salary increase — Members of the Staff Committee — Eligibility — Action for annulment — No need to adjudicate — Action for damages — Action manifestly lacking any foundation in law)

(2018/C 013/29)

Language of the case: French

Parties

Applicant: Carlos Bowles (Frankfurt am Main, Germany) (represented by: initially by L. Levi and A. Tymen, and subsequently by L. Levi, lawyers)