

Judgment of the General Court of 12 September 2018 — De Geoffroy and Others v Parliament.(Case T-788/16) ⁽¹⁾**(Civil service — Officials — Leave — Adoption of the Parliament's new Guidelines on leave management — Individual decisions taken under the new guidelines in the interpretation services — Obligation to state reasons — Manifest error of assessment — Interests of the service — Plea of illegality)**

(2018/C 381/23)

Language of the case: French

Parties

Applicants: Dominique De Geoffroy (Brussels, Belgium) and the 14 other applicants whose names are annexed to the judgment (represented initially by N. de Montigny and J.-N. Louis, and subsequently by N. de Montigny, lawyers)

Defendant: European Parliament (represented by: E. Taneva and L. Deneys, acting as Agents)

Re:

Application pursuant to Article 270 TFEU seeking the annulment, first, of Parliament's guidelines of 21 March 2016 on the implementation, for interpretation services, of Article 4(5) of the internal rules on leave management; secondly, of Parliament's decision of 12 April 2016 accepting Ms Françoise Joostens' application for leave, but including the requested days of leave within a quota of three and a half days; thirdly, of Parliament's decision of 2 June 2016 refusing to grant leave applied for by Mrs Joostens and, fourthly, of the Parliament's decision of 13 June 2016 refusing to grant leave applied for by Mr Stéphane Grosjean.

Operative part of the judgment

The Court:

1. Annuls the decision of the European Parliament of 13 June 2016 refusing to grant leave applied for by Mr Stéphane Grosjean.
2. Dismisses the remainder of the action.
3. Orders each party to bear its own costs.

⁽¹⁾ OJ C 14, 16.1.2017.

Judgment of the General Court of 12 September 2018 — Chefaro Ireland v EUIPO — Laboratoires M&L (NUIT PRECIEUSE)(Case T-905/16) ⁽¹⁾**(EU trade mark — Invalidity proceedings — International registration designating the European Union — Figurative mark NUIT PRECIEUSE — Earlier national word mark EAU PRECIEUSE — Relative ground for refusal — Article 8(1)(b) of Regulation (EC) No 207/2009 (now Article 8(1)(b) of Regulation (EU) 2017/1001))**

(2018/C 381/24)

Language of the case: English

Parties

Applicant: Chefaro Ireland DAC (Dublin, Ireland) (represented by: P. Maeyaert and J. Muyldermans, lawyers)

Defendant: European Union Intellectual Property Office (represented by: A. Lukošūitė, D. Walicka and D. Gája, acting as Agents)

Other party to the proceedings before the Board of Appeal of EUIPO, intervener before the General Court: Laboratoires M&L SA (Manosque, France)

Re:

Action brought against the decision of the Fourth Board of Appeal of EUIPO of 19 October 2016 (Case R 2596/2015-4), relating to invalidity proceedings between Chefaro Ireland and Laboratoires M&L.

Operative part of the judgment

The Court:

1. *Dismisses the action;*
2. *Orders Chefaro Ireland DAC to pay the costs.*

⁽¹⁾ OJ C 53, 20.2.2017.

Judgment of the General Court of 12 September 2018 — Healy v Commission

(Case T-55/17) ⁽¹⁾

(Civil service — Contract staff — Recruitment — Internal competition — Constitution of a reserve list for the recruitment of assistants — Eligibility condition relating to length of service within the Commission — Non-admission to the assessment tests in a competition)

(2018/C 381/25)

Language of the case: French

Parties

Applicant: John Morrison Healy (Celbridge, Ireland) (represented by: S. Orlandi and T. Martin, lawyers)

Defendant: European Commission (represented by: G. Berscheid and L. Radu Bouyon, acting as Agents)

Re:

Action pursuant to Article 270 TFEU seeking annulment of the decision of the selection board for internal competition COM/02/AST/16 (AST 2) rejecting the applicant's candidature.

Operative part of the judgment

The Court:

1. *Dismisses the action;*
2. *Orders Mr John Morrison Healy to pay the costs.*

⁽¹⁾ OJ C 112, 10.4.2017.