

2. Articles 151 and 153 of the TFEU and Clause 4(1) of the framework agreement on fixed-term work set out in the annex to Directive 1999/70 must be interpreted as not precluding a national law that does not provide for payment of any compensation to fixed-term workers employed as interim civil servants upon the termination of their employment, whereas compensation is granted to fixed-term contract workers upon the expiry of their contract of employment.

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(<sup>1</sup>) OJ C 211, 18.6.2018.

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**Judgment of the Court (Fourth Chamber) of 22 January 2020 — MSD Animal Health Innovation GmbH, Intervet International BV v European Medicines Agency (EMA)**

**(Case C-178/18 P) (<sup>1</sup>)**

***(Appeal — Access to documents of EU institutions, bodies, offices or agencies — Regulation (EC) No 1049/2001 — First indent of Article 4(2) — Exception relating to the protection of commercial interests — Article 4(3) — Protection of the decision-making process — Documents submitted to the European Medicines Agency in the context of a marketing authorisation application for a veterinary medicinal product — Decision to grant a third party access to the documents — General presumption of confidentiality — No obligation for an EU institution, body, office or agency to apply a general presumption of confidentiality)***

(2020/C 77/05)

*Language of the case: English*

### **Parties**

*Appellants:* MSD Animal Health Innovation GmbH, Intervet International BV (represented by: C. Thomas, Barrister, J. Stratford QC, B. Kelly, Solicitor, and P. Bogaert, advocaat)

*Other party to the proceedings:* European Medicines Agency (initially represented by: T. Jabłoński, S. Marino, S. Drosos and A. Rusanov, subsequently by T. Jabłoński, S. Marino and S. Drosos, acting as Agents)

### **Operative part of the judgment**

The Court:

1. Dismisses the appeal;
2. Orders MSD Animal Health Innovation GmbH and Intervet International BV to bear their own costs and to pay those incurred by the European Medicines Agency (EMA).

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(<sup>1</sup>) OJ C 231, 2.7.2018.

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