

**Judgment of the General Court of 11 September 2019 — YL v Commission**(Case T-545/18) <sup>(1)</sup>

**(Civil service — Officials — Promotion — 2017 promotion procedure — Decision not to promote the applicant to grade AD 7 with effect from 1 January 2017 — Article 45 of the Staff Regulations — Article 9(3) of Annex IX to the Staff Regulations — Misuse of powers — Disciplinary measure)**

(2019/C 399/65)

Language of the case: French

**Parties**

Applicant: YL (represented by: P. Yon and B. de Lapasse, lawyers)

Defendant: European Commission (represented initially by: L. Radu Bouyon and R. Striani, and subsequently by: L. Radu Bouyon and B. Mongin, acting as Agents)

**Re:**

Application under Article 270 TFEU, first, for annulment of the Commission Decision, communicated to the staff of that institution on 13 November 2017, not to promote the applicant to grade AD 7 during the 2017 promotion procedure, second, for promotion of the applicant to grade AD 7 with effect from 1 January 2017 and, third, for compensation for the damage which the applicant allegedly suffered.

**Operative part of the judgment**

The Court:

1. Dismisses the action.
2. Orders YL to pay the costs.

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<sup>(1)</sup> OJ C 427, 26.11.2018.

**Judgment of the General Court of 17 September 2019 — Rose Gesellschaft v EUIPO — Iviton (TON JONES)**(Case T-633/18) <sup>(1)</sup>

**(EU trade mark — Opposition proceedings — Application for EU word mark TON JONES — Earlier national and international figurative marks Jones — Proof of genuine use of the earlier marks — Article 47(2) and (3) of Regulation (EU) 2017/1001 — Article 18(1) of Regulation 2017/1001 — Article 10 of Delegated Regulation (EU) 2018/625)**

(2019/C 399/66)

Language of the case: German

**Parties**

Applicant: Rose Gesellschaft mbH (Vienna, Austria) (represented by: R. Kornfeld, lawyer)