

Judgment of the Court (Eighth Chamber) of 17 December 2020 — BP v European Union Agency for Fundamental Rights (FRA)

(Case C-601/19 P) ⁽¹⁾

(Appeal — Civil service — Members of the contract staff — European Union Agency for Fundamental Rights (FRA) — Fixed-term contract — Decision not to renew — New decision adopted following an annulment by the General Court — Irregularities allegedly committed during the implementation of the General Court judgment)

(2021/C 62/03)

Language of the case: English

Parties

Appellant: BP (represented by: E. Lazar, avocat)

Other party to the proceedings: European Union Agency for Fundamental Rights (FRA) (represented by: M. O’Flaherty, acting as Agent, and by B. Wägenbaur, Rechtsanwalt)

Operative part of the judgment

The Court:

1. Dismisses the appeal;
2. Orders BP to bear her own costs and to pay those incurred by the European Union Agency for Fundamental Rights (FRA).

⁽¹⁾ OJ C 432, 23.12.2019.

Judgment of the Court (Fifth Chamber) of 17 December 2020 (request for a preliminary ruling from the Bundesgerichtshof — Germany) — Husqvarna AB v Lidl Digital International GmbH & Co. KG, formerly Lidl E-Commerce International GmbH & Co. KG

(Case C-607/19) ⁽¹⁾

(Reference for a preliminary ruling — EU trade marks — Regulation (EC) No 207/2009 — Article 51(1)(a) — Article 55(1) — Revocation of rights in an EU mark — EU mark which has not been put to genuine use within a continuous period of five years — Expiry of the period of five years — Date of assessment)

(2021/C 62/04)

Language of the case: German

Referring court

Bundesgerichtshof

Parties to the main proceedings

Applicant and appellant on a point of law: Husqvarna AB

Defendant and respondent in the appeal on a point of law: Lidl Digital International GmbH & Co. KG, formerly Lidl E-Commerce International GmbH & Co. KG

Operative part of the judgment

Article 51(1)(a) of Council Regulation (EC) No 207/2009 of 26 February 2009 on the [European Union] trade mark must be interpreted as meaning that, in the case of a counterclaim for the revocation of rights in an EU mark, the relevant date for the purposes of determining whether the continuous five-year period referred to in that provision has ended is the date on which that counterclaim was filed.

⁽¹⁾ OJ C 27, 27.1.2020.