

Re:

Action brought against the decision of the Second Board of Appeal of EUIPO of 22 August 2018 (Case R 178/2018-2), relating to invalidity proceedings between Basic Lebensmittelhandel and Repsol.

Operative part of the judgment

The Court:

1. Annuls the decision of the Second Board of Appeal of the European Union Intellectual Property Office (EUIPO) of 22 August 2018 (Case R 178/2018-2);
2. Declares that there is no longer any need to adjudicate on the cross-claim;
3. Orders EUIPO and Basic AG Lebensmittelhandel to bear their own costs and each to pay half of the costs incurred by Repsol, SA.

(¹) OJ C 54, 11.2.2019.

Judgment of the General Court of 2 December 2020 — Thunus and Others v EIB

(Case T-247/19) (¹)

(Civil service — EIB staff — Remuneration — Annual salary adjustment — Legal certainty — Legitimate expectations — Staff consultation — Obligation to state reasons — Proportionality)

(2021/C 35/55)

Language of the case: French

Parties

Applicants: Vincent Thunus (Contern, Luxembourg) and the other applicants whose names are set out in the annex (represented by: L. Levi, lawyer)

Defendant: European Investment Bank (represented by: T. Gilliams, J. Klein and J. Krueck, acting as Agents, and by P.-E. Partsch, lawyer)

Re:

Application under Article 270 TFEU and Article 50a of the Statute of the Court of Justice of the European Union (i) seeking annulment of the decisions contained in the applicants' pay slips for the month of February 2018 and the subsequent months, applying the decision of the EIB's Board of Directors of 18 July 2017 defining a new approach to the overall increase in staff salaries applicable to all EIB staff members and the decision of the EIB's Management Committee of 30 January 2018 fixing the adjustment rate of salaries for the year 2018 to 0,7 %, and (ii) seeking compensation for the damage allegedly suffered by the applicants as a result of those decisions.

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders Mr. Vincent Thunus and the other applicants whose names are set out in the annex to bear their own costs and to pay those incurred by the European Investment Bank (EIB).

(¹) OJ C 206, 17.6.2019.