

Judgment of the General Court of 25 June 2020 — Serviceplan Gruppe für innovative Kommunikation v EUIPO (Serviceplan Solutions)

(Case T-380/19) ⁽¹⁾

(EU trade mark — Application for the EU word mark Serviceplan Solutions — Absolute ground for refusal — No distinctive character — Article 7(1)(b) of Regulation (EU) 2017/1001 — Obligation to state reasons — First sentence of Article 94(1) of Regulation 2017/1001)

(2020/C 262/30)

Language of the case: German

Parties

Applicant: Serviceplan Gruppe für innovative Kommunikation GmbH & Co. KG (Munich, Germany) (represented by: B. Koch and P. Schmitz, lawyers)

Defendant: European Union Intellectual Property Office (represented by: E. Markakis, acting as Agent)

Re:

Action brought against the decision of the Fifth Board of Appeal of EUIPO of 25 March 2019 (Case R 1427/2018-5) concerning an application for registration of the word sign Serviceplan Solutions as an EU trade mark.

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders Serviceplan Gruppe für innovative Kommunikation GmbH & Co. KG to pay the costs.

⁽¹⁾ OJ C 270, 12.8.2019.

Judgment of the General Court of 25 June 2020 — Malacalza Investimenti v ECB

(Case T-552/19) ⁽¹⁾

(Access to documents — Decision of the ECB to place Banca Carige SpA under temporary administration — Refusal to grant access — Default procedure)

(2020/C 262/31)

Language of the case: Italian

Parties

Applicant: Malacalza Investimenti Srl (Genoa, Italy) (represented by P. Ghiglione, E. De Giorgi and L. Amicarelli, lawyers)

Defendant: European Central Bank (represented by F. von Lindeiner and M. Van Hoecke, acting as Agents, and by D. Sarmiento Ramírez-Escudero, lawyer)

Re:

Application under Article 263 TFEU for annulment of ECB Decision LS/LdG/19/185 of 12 June 2019 refusing access to several documents relating to Decision ECB-SSM-2019-ITCAR-11 of the Governing Council of the ECB of 1 January 2019 placing Banca Carige SpA under temporary administration.

Operative part of the judgment

The Court:

1. Annuls European Central Bank (ECB) Decision LS/LdG/19/185 of 12 June 2019 refusing access to several documents relating to Decision ECB-SSM-2019-ITCAR-11 of the Governing Council of the ECB of 1 January 2019 placing Banca Carige SpA under temporary administration;
2. Orders the ECB to pay the costs.

(¹) OJ C 328, 30.9.2019.

Order of the General Court of 11 June 2020 — Vanhoudt and Others v EIB

(Case T-294/19) (¹)

(Action for annulment and for damages — Civil service — EIB staff — Reform of the EIB remuneration and salary progression system — Remuneration simulation tool — Act not open to challenge — Purely confirmatory act — No new and substantial facts — Non-material harm — No causal link — Action in part inadmissible and in part manifestly lacking any foundation in law)

(2020/C 262/32)

Language of the case: English

Parties

Applicants: Patrick Vanhoudt (Gonderange, Luxembourg) and the other appellants whose names are listed in the annex (represented by: A. Haines, Barrister)

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

Re:

Application under Article 270 TFEU and Article 50a of the Statute of the Court of Justice of the European Union seeking, first, annulment of the decision of the EIB of 31 January 2019 by which the EIB confirmed the decision of the Conciliation Board, which found that the conciliation procedure relating to the applicants' requests to make available an official printout of the results of the remuneration simulation tool used to calculate the impact of the reforms and of the amicable settlement to compensate for the losses allegedly suffered as a result of the reforms had failed, and, second, compensation for the non-material damage allegedly suffered by the applicants as a result of that decision of 31 January 2019.

Operative part of the order

1. The action is dismissed as in part inadmissible and in part manifestly lacking any foundation in law.
2. Mr Patrick Vanhoudt and the other applicants whose names are listed in the annex shall pay the costs.

(¹) OJ C 230, 8.7.2019.