

Order of the General Court of 16 June 2020 — Walker and Others v Parliament and Council(Case T-383/19) ⁽¹⁾

(Action for annulment — Area of freedom, security and justice — Withdrawal of the United Kingdom from the Union — Regulation (EU) 2019/592 amending Regulation (EU) 2018/1806 — Short-stay visa waiver on the basis of reciprocity — Alleged loss of EU citizenship — Not individually concerned — Inadmissibility)

(2020/C 271/48)

Language of the case: French

Parties

Applicants: Hilary Elizabeth Walker (Cadiz, Spain), Jennifer Ann Cording (Valdagno, Italy), Douglas Edward Watson (Beaumont, France), Christopher David Randolph (Ballinassa Belcarra Castlebar, Ireland), Michael Charles Strawson (Serralongue, France) (represented by J. Fouchet, lawyer)

Defendants: European Parliament (represented by D. Warin and R. van de Westelaken, acting as Agents), Council of the European Union (represented by S. Cholakova and R. Meyer, acting as Agents)

Re:

Application under Article 263 TFEU seeking annulment of Regulation (EU) 2019/592 of the European Parliament and of the Council of 10 April 2019 amending Regulation (EU) 2018/1806 listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement, as regards the withdrawal of the United Kingdom from the Union (OJ 2019 L 103 I, p. 1).

Operative part of the order

1. The action is dismissed as inadmissible.
2. There is no longer any need to adjudicate on the applications for leave to intervene made by the Kingdom of Spain and the European Commission.
3. Ms Hilary Elizabeth Walker, Ms Jennifer Ann Cording, Mr Douglas Edward Watson, Mr Christopher David Randolph and Mr Michael Charles Strawson shall bear their own costs, and pay those incurred by the European Parliament and the Council of the European Union, including those relating to the application for interim measures before the General Court, except those relating to the applications for leave to intervene.
4. Ms Walker, Ms Cording, Mr Watson, Mr Randolph and Mr Strawson, the Parliament, the Council, the Kingdom of Spain and the Commission shall each bear their own costs relating to the applications for leave to intervene.

⁽¹⁾ OJ C 270, 12.8.2019.

Order of the General Court of 16 June 2020 — Luz Saúde v EUIPO — Clínica La Luz (HOSPITAL DA LUZ LEARNING HEALTH)(Case T-558/19) ⁽¹⁾

(EU trade mark — Opposition proceedings — Application for registration of the EU figurative mark HOSPITAL DA LUZ LEARNING HEALTH — Earlier national figurative mark clínica LALUZ — Relative ground for refusal — Article 8(1)(b) of Regulation (EU) 2017/1001 — Action manifestly lacking any foundation in law)

(2020/C 271/49)

Language of the case: English

Parties

Applicant: Luz Saúde, SA (Lisbon, Portugal) (represented by: G. Moreira Rato, lawyer)

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

Other party to the proceedings before the Board of Appeal of EUIPO intervening before the General Court: Clínica La Luz, SL (Madrid, Spain) (represented by: I. Temiño Ceniceros, lawyer)

Re:

Action brought against the decision of the Fourth Board of Appeal of EUIPO of 1 July 2019 (Case R 2239/2018-4), relating to opposition proceedings between Clínica La Luz and Luz Saúde.

Operative part of the order

1. The action is dismissed.
2. Luz Saúde, SA is ordered to pay the costs.

(¹) OJ C 319, 23.9.2019.

Action brought on 4 June 2020 — HS v Commission

(Case T-848/19)

(2020/C 271/50)

Language of the case: English

Parties

Applicant: HS (represented by: L. Levi and A. Champetier, lawyers)

Defendant: European Commission

Form of order sought

The applicant claims that the Court should:

- annul the decision of 12 March 2019 to dismiss the applicant at the end of the probationary period,
- so far as necessary, annul the decision of 10 October 2019 rejecting the applicant's complaint,
- compensate for the moral prejudice suffered by the applicant which can be evaluated, *ex aequo et bono*, to 15 000 Euros,
- order the defendant to pay all the costs.

Pleas in law and main arguments

In support of the action, the applicant relies on the following pleas in law.

1. First plea in law, alleging violation of the principle of non-discrimination on ground of disability and of the duty to provide reasonable accommodation, violation of Article 21 of the Charter, of the United Convention on the rights of persons with disabilities and of Article 1(d) of the Staff Regulations and, violation of the duty of care.
2. Second plea in law, alleging violation of Article 34 of the Staff Regulations: breach of the probationary period proper conditions, lack of guidance and lack and uncertainty of objectives, breach of the right to be heard and, manifest errors of assessment.