

**Judgment of the General Court of 13 October 2021 — IB v EUIPO**(Case T-22/20) <sup>(1)</sup>

*(Civil service — Officials — Disciplinary proceedings — Suspension of the invalidity procedure during the disciplinary proceedings — Removal from post — Invalidation procedure which has become devoid of purpose following removal from post — Action for annulment — Act adversely affecting an official — Admissibility — Principle of sound administration — Duty to have regard for the welfare of officials — Manifest error of assessment)*

(2021/C 490/36)

Language of the case: French

**Parties**

*Applicant:* IB (represented by: N. de Montigny, lawyer)

*Defendant:* European Union Intellectual Property Office (represented by: A. Lukošūūtė, acting as Agent, and B. Wägenbaur, lawyer)

**Re:**

Application based on Article 270 TFEU seeking the annulment of the decision of EUIPO of 14 March 2019 in so far as, first, it removes the applicant from his post without reducing his entitlement to a pension and, second, it definitively closes the applicant's invalidity procedure.

**Operative part of the judgment**

The Court:

1. Annuls the decision of the European Union Intellectual Property Office (EUIPO) of 14 March 2019 in so far as it definitively closes IB's invalidity procedure;
2. Dismisses the application as to the remainder.
3. Orders each party to bear its own costs.

<sup>(1)</sup> OJ C 68, 2.3.2020.

**Judgment of the General Court of 6 October 2021 — AV and AW v Parliament**(Case T-43/20) <sup>(1)</sup>

*(Civil service — Officials — Disciplinary proceedings — Disciplinary measure — Downgrading — Rights of the defence — Principle of good administration — Manifest error of assessment)*

(2021/C 490/37)

Language of the case: French

**Parties**

*Applicants:* AV and AW (represented by: L. Levi, S. Rodrigues and J. Martins, lawyers)

*Defendant:* European Parliament (represented by: N. Scafarto and I. Lázaro Betancor, acting as Agents)

**Re:**

Application under Article 270 TFEU for annulment of the Parliament's decisions of 21 June 2019 imposing on one of the applicants a disciplinary penalty of downgrading by four grades, from AST 6 to AST 2, and, on the other applicant, a disciplinary penalty of downgrading by two grades, from AST 8 to AST 6, and, in so far as necessary, of the Parliament's decisions of 28 November 2019 rejecting the applicants' complaints of 17 July 2019 against the decisions of 21 June 2019.

**Operative part of the judgment**

The Court:

1. Dismisses the appeal;