

Re:

Action brought against the decision of the Fifth Board of Appeal of EUIPO of 6 June 2019 (Case R 372/2019-5), relating to the application for registration of the figurative sign PERFECT Bar as an EU trade mark.

Operative part of the order

The Court:

1. Dismisses the action as manifestly lacking any foundation in law.
2. Orders Perfect Bar LLC to pay the costs.

⁽¹⁾ OJ C 337, 7.10.2019.

**Order of the General Court of 16 June 2020 — etc-gaming and Casino-Equipment v Commission
(Case T-803/19) ⁽¹⁾**

(Action for damages — Failure by the European Union to introduce an effective remedy offering suitable redress for a failure on the part of the national courts to submit a request for a preliminary ruling to the Court of Justice — Sufficiently serious breach of a rule of law conferring rights on individuals — Action manifestly lacking any foundation in law)

(2020/C 262/35)

Language of the case: German

Parties

Applicants: etc-gaming GmbH (Vienna, Austria) and Casino-Equipment Vermietungs GmbH (Vienna) (represented by A. Schuster, lawyer)

Defendant: European Commission (represented by L. Armati, G. Braun and L. Malferrari, acting as Agents)

Re:

Application under Article 268 TFEU seeking compensation for the damage which the applicants claim to have suffered as a result of the failure by the European Union to introduce an effective remedy offering suitable redress for a failure on the part of the national courts to submit a request for a preliminary ruling to the Court of Justice.

Operative part

1. The action is dismissed.
2. etc-gaming GmbH and Casino-Equipment Vermietungs GmbH are ordered to pay the costs.

⁽¹⁾ OJ C 45, 10.2.2020.

**Action brought on 15 May 2020 — WT v Commission
(Case T-91/20)**

(2020/C 262/36)

Language of the case: English

Parties

Applicant: WT (represented by: G. Pandey and V. Villante, lawyers)

Defendant: European Commission

Form of order sought

The applicant claims that the Court should:

- annul the decision of 7 November 2019 of the appointing authority (AIPN), notified to the applicant through ARES system on that date, which rejected the applicant's complaint under Article 90(2) of the Staff Regulations of Officials of the European Union, lodged on 17 July 2019, including the rejection of her request for a EUR 30 000 compensation;
- annul the decision of the AIPN of 17 April 2019, imposing the reprimand, under Article 9(1)(b) of Annex IX to the Staff Regulations;
- order the defendant to pay the applicant EUR 30 000 compensation for the damaged incurred because of the abovementioned unlawful contested decisions;
- order the requested measures of inquiry, as raised in the present application;
- order the European Commission to bear its own and the applicant's legal costs of the present judicial proceedings.

Pleas in law and main arguments

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

1. First plea in law, alleging breach of the duty of care and of the principle of good administration recognised in Article 41 of the Charter of Fundamental Rights of the European Union.
2. Second plea in law, alleging violation of the reasonable period of time recognised in Article 41 of the Charter of Fundamental Rights and the principle of legal certainty and a violation of Article 12a of the Staff Regulations (prohibition of harassment) and manifest error of appreciation.

Action brought on 26 March 2020 — Close and Cegelec v Parliament

(Case T-188/20)

(2020/C 262/37)

Language of the case: French

Parties

Applicants: SA Close (Harzé-Aywaille, Belgium) and Cegelec (Brussels, Belgium) (represented by: J. Rijkers and J. Teheux, lawyers)

Defendant: European Parliament

Form of order sought

The applicants claim that the Court should:

- provisionally order the European Union, represented by the European Parliament, to pay compensation estimated at EUR 3 906 043 plus interest at the statutory rate from the date on which the damage arose, namely 27 March 2015;
- before ruling on the action, the applicants seek a stay of proceedings pending the judgment of the Court of Justice in the proceedings currently pending in Case C-447/19 and, if appropriate, of the General Court in the event of a referral;
- reserve ruling on the costs.