

Defendant: European Commission (represented by I. Martínez del Peral, I. Rubene, E. Stamate and D. Drambozova, acting as Agents)

Intervener in support of the applicant: Hungary (represented by M. Fehér and K. Szijjártó, acting as Agents)

Interveners in support of the defendant: Hellenic Republic (represented by T. Papadopoulou, acting as Agent), Slovak Republic (represented by E. Drugda, acting as Agent)

Re:

By its action under Article 263 TFEU, the applicant seeks annulment of Commission Communication C(2021) 171 final of 14 January 2021 on the European Citizens' Initiative entitled 'Minority SafePack — one million signatures for diversity in Europe'.

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders the Citizens' Committee of the European Citizens' Initiative 'Minority SafePack — one million signatures for diversity in Europe' to bear its own costs and to pay those incurred by the European Commission;
3. Orders the Hellenic Republic, Hungary and the Slovak Republic to each bear their own costs.

⁽¹⁾ OJ C 217, 7.6.2021.

Judgment of the General Court of 9 November 2022 — QM v Europol

(Case T-164/21) ⁽¹⁾

(Civil service — Members of the temporary staff — Non-renewal of a fixed-term contract for an indefinite period — Interests of the service — Error of law — Manifest error of assessment — Right to be heard — Principle of sound administration — Duty to have regard for the welfare of staff)

(2023/C 15/48)

Language of the case: French

Parties

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

Defendant: European Union Agency for Law Enforcement Cooperation (represented by: A. Nunzi, O. Sajin and C. Falmagne, acting as Agents, and by A. Duron and D. Waelbroeck, lawyers)

Re:

By his action under Article 270 TFEU, the applicant seeks annulment of the decision of the European Union Agency for Law Enforcement Cooperation (Europol) of 27 May 2020 not to renew his employment contract for an indefinite period and, so far as necessary, annulment of the decision of 18 December 2020 rejecting his complaint.

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders QM to pay the costs.

⁽¹⁾ OJ C 189, 17.5.2021.

**Judgment of the General Court of 9 November 2022 — Société Elmar Wolf v EUIPO — Fuxtec
(Representation of the head of an animal)**

(Case T-596/21) ⁽¹⁾

(EU trade mark — Opposition proceedings — International registration designating the European Union — Figurative mark representing a head — Earlier national figurative mark representing the head of a canine — Earlier international registration designating the European Union — Figurative mark representing the head of a canine — Article 8(1)(b) of Regulation (EC) No 207/2009 — Relative ground for refusal — No likelihood of confusion)

(2023/C 15/49)

Language of the case: English

Parties

Applicant: Société Elmar Wolf (Wissembourg, France) (represented by N. Boespflug, 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: Fuxtec GmbH (Herrenberg, Germany) (represented by M. Hammer and C. Koller, lawyers)

Re:

By its action under Article 263 TFEU, the applicant seeks the annulment of the decision of the Fourth Board of Appeal of the European Union Intellectual Property Office (EUIPO) of 5 July 2021 (Case R 2834/2019-4).

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders Société Elmar Wolf, since it has been unsuccessful, to pay the costs, in accordance with the form of order sought by the European Union Intellectual Property Office (EUIPO).

⁽¹⁾ OJ C 462, 15.11.2021.