

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders Unimax Stationery to pay the costs.

⁽¹⁾ OJ C 338, 23.8.2021.

Judgment of the General Court of 13 July 2022 — TL v Commission

(Case T-438/21) ⁽¹⁾

(Civil service — Members of the temporary staff — Fixed-term contract — Decision not to renew the contract — Vacancy notice — Manifest error of assessment — Duty of care — Psychological harassment — Liability)

(2022/C 359/82)

Language of the case: English

Parties

Applicant: TL (represented by: L. Levi and N. Flandin, lawyers)

Defendant: European Commission (represented by: B. Mongin and M. Brauhoff, acting as Agents)

Re:

By her action based on Article 270 TFEU, the applicant, TL, seeks, first, annulment of the decision of the European Commission's authority empowered to conclude contracts of employment of 29 October 2020 not to renew her contract of employment and, so far as necessary, of the decision of 20 April 2021 rejecting her complaint brought under Article 90 (2) of the Staff Regulations of Officials of the European Union against that decision and, secondly, compensation in respect of the damage which she claims to have suffered as a result of those acts.

Operative part of the judgment

The Court:

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

⁽¹⁾ OJ C 357, 6.9.2021.

Judgment of the General Court of 13 July 2022 — Purasac v EUIPO — Prolenium Medical Technologies (Rejeunesse)

(Case T-543/21) ⁽¹⁾

(EU trade mark — Opposition proceedings — Application for the EU figurative mark Rejeunesse — Earlier EU word mark REVANESSE — Relative ground for refusal — Likelihood of confusion — Article 8 (1)(b) of Regulation (EU) 2017/1001)

(2022/C 359/83)

Language of the case: English

Parties

Applicant: Purasac Co. Ltd (Anyang-si, South Korea) (represented by: P. Lee, lawyer)

Defendant: European Union Intellectual Property Office (represented by: E. Sliwiska and J. Crespo Carrillo, acting as Agents)

Other party to the proceedings before the Board of Appeal of EUIPO, intervener before the General Court: Prolenium Medical Technologies, Inc. (Aurora, Ontario, Canada) (represented by: R. Lyxell, lawyer)

Re:

By its action brought under Article 263 TFEU, the applicant seeks annulment of the decision of the Fourth Board of Appeal of the European Union Intellectual Property Office (EUIPO) of 2 July 2021 (Case R 146/2021-4).

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders Purasac Co. Ltd to pay the costs.

⁽¹⁾ OJ C 422, 18.10.2021.

Judgment of the General Court of 13 July 2022 — Brand Energy Holdings v EUIPO (RAPIDGUARD)

(Case T-573/21) ⁽¹⁾

(EU trade mark — Application for EU word mark RAPIDGUARD — Absolute ground for refusal — Descriptive character — Article 7(1)(c) of Regulation (EU) 2017/1001 — No distinctive character — Article 7(1)(b) of Regulation 2017/1001 — Right to be heard)

(2022/C 359/84)

Language of the case: German

Parties

Applicant: Brand Energy Holdings BV (Vlaardingen, Netherlands) (represented by: A. Hönninger and F. Dechent, lawyers)

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

Re:

By its action under Article 263 TFEU, the applicant seeks the annulment of the decision of the Fifth Board of Appeal of the European Union Intellectual Property Office (EUIPO) of 30 June 2021 (Case R 294/2021-5).

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders Brand Energy Holdings BV to bear its own costs and to pay those incurred by the European Union Intellectual Property Office (EUIPO).

⁽¹⁾ OJ C 431, 25.10.2021.