

COURT OF FIRST INSTANCE

JUDGMENT OF THE COURT OF FIRST INSTANCE

of 24 April 2001

in Case T-159/98: Ivan Torre and Others v Commission of the European Communities⁽¹⁾

(Officials — Competition — Irregularity in the manner in which the tests were conducted, such as to distort the results — Legal interest in bringing proceedings)

(2001/C 227/29)

(Language of the case: French)

In Case T-159/98: Ivan Torre, residing in Brussels, Donatella Ineichen, residing in Brussels, Alessandro Cavallaro, residing in Rome, represented by M.-A. Lucas, avocat, with an address for service in Luxembourg, v Commission of the European Communities (Agents: J. Currall and C. Berardis-Kayser) — application for annulment, first, of the decisions of the selection board in competition EUR/A/123 awarding the applicants a mark eliminating them from the initial pre-selection test and, second, of the subsequent steps taken in that competition, in so far as may be necessary in order to restore the applicants' rights — the Court of First Instance (Fourth Chamber), composed of: P. Mengozzi, President, and V. Tiili and R.M. Moura Ramos, Judges; G. Herzig, Administrator, for the Registrar, has given a judgment on 24 April 2001, in which it:

1. Declares that there is no longer any need to adjudicate on the present action in so far as concerns Mr Torre and Mr Cavallaro;
2. Dismisses the action in so far as concerns Ms Ineichen;
3. Orders the Commission to pay the costs.

⁽¹⁾ OJ C 378 of 5.12.1998.

JUDGMENT OF THE COURT OF FIRST INSTANCE

of 24 April 2001

in Case T-37/99: Ugo Miranda v Commission of the European Communities⁽¹⁾

(Officials — Resettlement allowance — Meaning of residence)

(2001/C 227/30)

(Language of the case: Italian)

In Case T-37/99: Ugo Miranda, an official of the Commission of the European Communities, residing in Brussels, represented by L. Radicati di Brozolo, lawyer, with an address for service in Luxembourg, against Commission of the European Communities (Agents: G. Valsesia and A. Dal Ferro) — application for annulment of the decision of the Commission of 7 May 1998, relating to the recovery of the resettlement allowance paid to the applicant by virtue of Article 6 of Annex VII to the Staff Regulations — the Court of First Instance (Single Judge: P. Mengozzi); J. Palacio González, Administrator, for the Registrar, gave a judgment on 24 April 2001, in which it:

1. dismisses the application;
2. orders each of the parties to bear their own costs.

⁽¹⁾ OJ C 121 of 1.5.99.

JUDGMENT OF THE COURT OF FIRST INSTANCE

of 28 March 2001

in Case T-144/99 Institute of Professional Representatives before the European Patent Office v Commission of the European Communities⁽¹⁾

(Competition — Article 85 of the EC Treaty (now Article 81 EC) — Professional code of conduct — Ban on comparative advertising — Supply of services)

(2001/C 227/31)

(Language of the case: French)

In Case T-144/99, Institute of Professional Representatives before the European Patent Office, established in Munich

(Germany), represented by R. Collin and M.-C. Mitchell, Avocats, with an address for service in Luxembourg, against Commission of the European Communities (Agent: E. Gippini Fournier) — application for annulment of Commission Decision 1999/267/EC of 7 April 1999 relating to a proceeding pursuant to Article 85 of the EC Treaty (IV/36.147 EPI code of conduct) (OJ 1999 L 106, p. 14) — the Court of First Instance (Second Chamber), composed of A.W.H. Meij, President, A. Potocki and J. Pirrung, Judges; G. Herzig, Administrator, for the Registrar, has given a judgment on 28 March 2001, in which it:

1. Annuls Article 1 of Commission Decision 1999/267/EC of 7 April 1999 relating to a proceeding pursuant to Article 85 of the EC Treaty (IV/36.147 EPI Code of Conduct) in so far as it concerns Article 2(b)(3) and Article 5(c) of the Code of Conduct of the Institute of Professional Representatives before the European Patent Office;
2. Dismisses the remainder of the application;
3. Orders the parties to bear their own costs, including those incurred in the interlocutory procedure.

(¹) OJ C 281 of 2.10.99.

JUDGMENT OF THE COURT OF FIRST INSTANCE

of 3 May 2001

in Case T-60/00: Paraskevi Liaskou v Council of the European Union (¹)

(Officials — Remuneration — Expatriation allowance — Article 4(1)(a) of Annex VII to the Staff Regulations)

(2001/C 227/32)

(Language of the case: French)

In Case T-60/00: Paraskevi Liaskou, an official of the Council of the European Union, residing in Brussels, represented by E. Boigelot, avocat, with an address for service in Luxembourg, v Council of the European Union (Agents: F. Anton and D. Zahariou) — application, first, for annulment of the Council's decision of 5 July 1999 refusing to grant the applicant the expatriation allowance provided for in Article 4 of Annex VII to the Staff Regulations and, second, for payment of that allowance together with default interest — the Court of First Instance (Fourth Chamber), composed of: P. Mengozzi, President, and V. Tiili and R.M. Moura Ramos, Judges; B. Pastor, Principal Administrator, for the Registrar, has given a judgment on 3 May 2001, in which it:

1. Dismisses the action;
2. Orders the parties to bear their own costs.

(¹) OJ C 135 of 13.5.2000.

JUDGMENT OF THE COURT OF FIRST INSTANCE

of 5 April 2001

in Case T-87/00 Bank für Arbeit und Wirtschaft AG v Office for Harmonisation in the Internal Market (Trade Marks and Designs) (OHIM) (¹)

(Community trade mark — Term EASYBANK — Absolute grounds for refusal — Article 7(1)(b) and (c) of Regulation (EC) No 40/94)

(2001/C 227/33)

(Language of the case: German)

In Case T-87/00 Bank für Arbeit und Wirtschaft AG, established in Vienna (Austria), represented by G. Kucsko, Rechtsanwalt, with an address for service in Luxembourg, against Office for Harmonisation in the Internal Market (Trade Marks and Designs) (OHIM) (Agents: A. von Mühlendahl, J.F. Crespo Carrillo and S. Laitinen) — application for annulment of the decision of the Third Board of Appeal of the Office for Harmonisation in the Internal Market (Trade Marks and Designs) of 31 January 2000 (Case R 316/1999-3), refusing registration of the term EASYBANK as a Community trade mark — the Court of First Instance (Second Chamber), composed of A.W.H. Meij, President, A. Potocki and J. Pirrung, Judges; D. Christensen, Administrator, for the Registrar, has given a judgment on 5 April 2001, in which it:

1. Annuls the decision of the Third Board of Appeal of the Office for Harmonisation in the Internal Market (Trade Marks and Designs) of 31 January 2000 (Case R 316/1999-3);
2. Orders the defendant to pay the costs.

(¹) OJ C 163 of 10.6.00.