

European Communities, (Agent: J. Currall, assisted by D. Waelbroeck, lawyer, with an address for service in Luxembourg) — action for first, annulment of the decision of the selection board in the internal competition COM/PA/02 for advancement from category B to category A establishing the results of the applicant in the pre-selection tests and refusing to admit him to the oral test of that competition, of the subsequent confirmatory decisions, of the list of successful candidates in that competition in the field in which the applicant was assessed and of any decision adopted on that basis, and second, damages — the Court of First Instance (Fourth Chamber), composed of H. Legal, President, P. Mengozzi and I. Wiszniewska-Bialecka, Judges; I. Natsinas, Administrator, for the Registrar, gave a judgment on 13 July 2005, in which it:

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

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(<sup>1</sup>) OJ C 59 of 6.3.2004.

#### JUDGMENT OF THE COURT OF FIRST INSTANCE

of 12 July 2005

**in Case T-157/04 Joël De Bry v Commission of the European Communities** (<sup>1</sup>)

**(Officials — Career development report — Appraisal exercise 2001/2002)**

(2005/C 229/32)

(Language of the case: French)

In Case T-157/04: Joël De Bry, an official of the Commission of the European Communities, residing in Woluwé-Saint-Lambert (Belgium), represented by S. Orlandi, A. Coolen, J.-N. Louis and E. Marchal, lawyers, with an address for service in Luxembourg, against Commission of the European Communities (Agents: L. Lozano Palacios and H. Kraemer, with an address for service in Luxembourg) — application for annulment of the decision of 26 May 2003 establishing the applicant's career development report for the period 1 July 2001 to 31 December 2002, the Court of First Instance (Single Judge: M. Pirrung); I. Natsinas, Administrator, for the Registrar, has delivered a judgment on 12 July 2005 in which it:

1. Annuls the decision of 26 May 2003 establishing the applicant's career development report for the period 1 July 2001 to 31 December 2002;
2. Orders the Commission to pay the costs.

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(<sup>1</sup>) OJ C 168 of 26.6.2004.

#### JUDGMENT OF THE COURT OF FIRST INSTANCE

of 14 July 2005

**in Case T-459/04, Jorge Manuel Pinheiro de Jesus Ferreira v Commission of the European Communities** (<sup>1</sup>)

**(Community officials — Appointment — Classification in grade — Classification in a higher grade)**

(2005/C 229/33)

(Language of the case: French)

In Case T-459/04, Jorge Manuel Pinheiro de Jesus Ferreira, official of the Commission of the European Communities, residing in Brussels (Belgium), represented by G. Vandersanden, lawyer, v Commission of the European Communities (Agents: V. Joris and M. Velardo, with an address for service in Luxembourg) — application for annulment of the Commission's decision of 18 March 2004, by which it definitively classified the applicant in Grade A5, step 3 — the Court of First Instance, composed of S. Papasavvas, Judge; I. Natsinas, Administrator, for the Registrar, gave a judgment on 14 July 2005, in which it:

- 1) Dismisses the application;
- 2) Orders each party to pay its own costs.

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(<sup>1</sup>) JO C 45 of 19.2.2005

#### ORDER OF THE COURT OF FIRST INSTANCE

of 9 June 2005

**in Case T-188/02: Freiberger Lebensmittel GmbH & Co. Produktions- und Vertriebs KG v Office for Harmonisation in the Internal Market (Trade Marks and Designs) (OHIM)** (<sup>1</sup>)

**(Community trade mark — Opposition — Withdrawal of opposition — No need to adjudicate)**

(2005/C 229/34)

(Language of the case: German)

In Case T-188/02: Freiberger Lebensmittel GmbH & Co. Produktions- und Vertriebs KG, established in Berlin, represented by K.-D. Rathke, lawyer, against Office for Harmonisation in the Internal Market (Trade Marks and Designs) (OHIM)