

Defendant: Commission of the European Communities (represented by: G. Berscheid and H. Krämer, Agents)

Re:

Annulment of the decision of 25 June 2003 drawing up the definitive version of the applicant's Career Development Report for the period from 1 July 2001 to 31 December 2002.

Operative part of the judgment

The Court:

1. Annuls the decision of 25 June 2003 drawing up the definitive version of Daniel Van der Spree's Career Development Report for the period from 1 July 2001 to 31 December 2002;
2. Orders the Commission to pay the costs.

(¹) OJ C 179, 10.7.2004.

Judgment of the Court of First Instance of 25 October 2006 — Staboli v Commission

(Case T-281/04) (¹)

(Staff case — Pursuit of an outside activity — Participation in conferences as a speaker — Agreement — Application for the grant of special leave for training purposes — Refusal)

(2006/C 310/24)

Language of the case: French

Parties

Applicant: Paola Staboli (Brussels, Belgium) (represented by: L. Vogel, lawyer)

Defendant: Commission of the European Communities (represented by: G. Berscheid and H. Tserépa-Lacombe, Agents)

Re:

Application for annulment of the Commission's decisions of 12 March and 6 April 2004 rejecting her complaint brought against the decision of 9 May 2003, in so far as the institution refused to grant her special leave for training purposes to enable her to pursue an outside activity, which was moreover authorised by that decision, and, so far as necessary, annulment of the abovementioned decision of 9 May 2003.

Operative part of the judgment

The Court:

1. Dismisses the action;

2. Orders each party to bear its own costs.

(¹) OJ C 262, 23.10.2004.

Judgment of the Court of First Instance of 19 October 2006 — Buendía Sierra v Commission

(Case T-311/04) (¹)

(Officials — Promotion — 2003 promotion procedure — Allocation of priority points)

(2006/C 310/25)

Language of the case: French

Parties

Applicant: José Luis Buendía Sierra (Brussels, Belgium) (represented by: M. van der Woude and V. Landes, lawyers)

Defendant: Commission of the European Communities (represented by: G. Berscheid and V. Joris, Agents, assisted by D. Waelbroeck, lawyer)

Re:

Annulment:

- of the decision of the Director General of the Commission's legal service to allocate only one Directorate General priority point to the applicant under the 2003 promotion procedure, communicated on 2 July 2003, confirmed by a decision of the Appointing Authority, notified on 16 December 2003;
- of the Appointing Authority's decision not to allocate any special priority points for additional activities in the interests of the institution to the applicant under the 2003 promotion procedure, notified by means of the Sysper 2 system on 16 December 2003;
- of the following decisions: the Appointing Authority's decision to allocate a total of 20 points to the applicant under the 2003 promotion procedure; the merit list of Grade A5 officials under the 2003 procedure, published in *Administrative Notice* No 69-2003 of 13 November 2003; the list of officials promoted to Grade A4 under the 2003 procedure, published in *Administrative Notice* No 73-2003 of 27 November 2003; in any event, the decision not to include the applicant's name on those lists;

— so far as necessary, of the Appointing Authority's decision of 15 June 2004 rejecting his complaint brought on 12 February 2004.

Operative part of the judgment

The Court:

1. Annuls the Commission's decisions setting the applicant's total promotion points at 20 and refusing to include his name on the list of officials promoted to Grade A4 under the 2003 promotion procedure;
2. Dismisses the action as to the remainder;
3. Orders the Commission to pay the costs.

(¹) OJ C 262, 23.10.2004.

Judgment of the Court of First Instance of 19 October 2006 — Bitburger Brauerei v OHIM — Anheuser-Busch (BUD, American Bud and Anheuser Busch Bud)

(Joined Cases T-350/04 to T-352/04) (¹)

(Community trade mark — Opposition proceedings — Application for registration of the Community word mark BUD — Applications for registration of the Community figurative marks American Bud and Anheuser Busch Bud — Earlier national word and figurative marks including the term 'bit' — Article 8(1)(b) of Regulation No 40/94)

(2006/C 310/26)

Language of the case: English

Parties

Applicant: Bitburger Brauerei Th. Simon GmbH (Bitburg Germany) (represented by M. Huth-Dierig, lawyer.)

Defendant: Office for Harmonisation in the Internal Market (Trade Marks and Designs) (represented by A. Folliard-Monguiral)

Other party/ to the proceedings before the Board of Appeal of OHIM intervening before the Court of First Instance: Anheuser-Busch, Inc., (Saint Louis, Missouri, United States (represented by: A. Renck, V. von Bomhard, A. Pohlmann, D. Ohlgart and B. Goebel, lawyers,))

Re:

Three applications brought against the decision of the Second Board of Appeal of OHIM of 22 June 2004 in cases R447/2002-2, R451/2002-2 and R453/2002-2, concerning opposition proceedings between Bitburger Brauerei Th. Simon and Anheuser-Busch, Inc.

Operative part of the judgment

The Court:

1. Dismisses the actions;
2. Orders Bitburger Brauerei Th. Simon GmbH to pay the costs

(¹) OJ C 19,22.1.2005.

Judgment of the Court of First Instance 17 October 2006 — Bonnet v Court of Justice

(Case T-406/04) (¹)

(Officials — Recruitment — Member of the temporary staff — Reader of judgments — Article 2(c) of the Conditions of Employment of Other Servants — Measure adversely affecting an official — Relationship of trust)

(2006/C 310/27)

Language of the case: French

Parties

Applicant: André Bonnet (Saint-Pierre-de-Vassols, France) (represented by: H. de Lepinau, lawyer)

Defendant: Court of Justice of the European Communities (represented by: M. Schauss, Agent)

Re:

First, application for annulment of the Court of Justice's measures of 11 February and 4 March 2004 ending, as regards the applicant, the procedure for recruitment to the post of reader of judgments at the Chambers of the President of the Court and of the decision making an appointment to the post at issue, and, secondly, an application for damages.

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders each party to bear its own costs.

(¹) OJ C 300, 4.12.2004.