

- in the alternative, annul the communication of OHIM of 9 June 2006 entitled ‘definitive Promotion Points 2006’;
- in the alternative, annul the implied decision of rejection by the President of OHIM of 27 November 2006;
- order OHIM to pay the applicant an appropriate amount of up to one year’s salary, but not less than EUR 45 000;
- order OHIM to pay the costs of the proceedings.

Pleas in law and main arguments

The applicant is an official of OHIM in Alicante, Spain, and complains about the reports which the defendant has to submit about him every two years, which, he claims, are substantively incorrect and are flawed and have not been produced on numerous occasions. Accordingly, the applicant seeks annulment of all the defendant’s implied decisions taken on the basis of Article 90(2) of the Staff Regulations and the amendment of the promotion points granted erroneously by the defendant to him in 2006.

The applicant also claims that, by unlawfully infringing Article 90(2) of the Staff Regulations in his regard for years, the defendant has intentionally and immorally disregarded his rights as an employee. He thus seeks damage for non-material harm from the defendant on the grounds of physical harassment and continuous infringement of his personal rights.

Action brought on 26 January 2007 — Chassagne v Commission

(Case F-8/07)

(2007/C 82/118)

Language of the case: French

Parties

Applicant: Olivier Chassagne (Brussels, Belgium) (represented by: Y. Minatchy, lawyer)

Defendant: Commission of the European Communities

Form of order sought

The applicant claims that the Tribunal should:

- Annul the Commission’s decisions dated 23 June 2006 and 27 October 2006 and adopt the measures arising from such annulment for the applicant;
- Order every measure necessary to safeguard the applicant’s rights and interests;

- Order the defendant to pay damages of EUR 1;
- Order the defendant to pay the costs.

Pleas in law and main arguments

By the contested decisions, the Commission transferred the applicant, an official in DG TREN with the status, at that time, of half-time secondment for trade union activities, from that DG’s list to the ‘A*10 list in Annex IV’ under the 2006 promotion procedure.

In support of his action, the applicant claims, in particular, that the decisions: (i) infringe the principle of the obligation to state reasons; (ii) are devoid of legal basis, and (iii) misapply Article 6 (3)(b) of the General provisions for implementing Article 43 of the Staff Regulations.

Action brought on 7 February 2007 — Scozzaro v EMEA

(Case F-13/07)

(2007/C 82/119)

Language of the case: French

Parties

Applicant: Salvatore Scozzaro (Broxbourne, United Kingdom) (represented by: S. Orlandi, A. Coolen, J.-N. Louis and E. Marchal, lawyers)

Defendant: European Medicines Agency (EMA)

Form of order sought

The applicant claims that the Tribunal should:

- annul the decision of 31 March 2006 by which the Executive Director of the EMEA refused the applicant’s request for the establishment of an Invalidation Committee and the confirmatory decision of the following 25 October;
- order the defendant to pay the costs.

Pleas in law and main arguments

On 17 March 2005, the applicant, a member of the EMEA’s temporary staff, fell victim to an accident at work, as a result of which he became incapable of carrying out his work. On 14 February 2006, he was informed that his contract would not be renewed beyond 15 October 2006. His request for the establishment of an Invalidation Committee was refused.