

Other party to the proceedings before the Board of Appeal of OHIM, intervening before the General Court: Ann Christine Lizenzmanagement GmbH & Co. KG (Vienna, Austria) (represented by: M. Hartmann, N. Voß and S. Fröhlich, lawyers)

Re:

Action brought against the decision of the Fourth Board of Appeal of OHIM of 28 November 2012 (Case R 108/2012-4), concerning opposition proceedings between Ann Christine Lizenzmanagement GmbH & Co. KG and Reiner Appelhath-Cüpper Nachf. GmbH.

Operative part of the judgment

The Court:

1. Orders that the decision of the Fourth Board of Appeal of the Office for Harmonisation in the Internal Market (Trade Marks and Designs) (OHIM) of 28 November 2012 (Case R 108/2012-4) is annulled in so far as it upheld in part the opposition brought by Ann Christine Lizenzmanagement GmbH & Co. KG;
2. Orders OHIM to bear its own costs and to pay half the costs incurred by Reiner Appelhath-Cüpper Nachf. GmbH;
3. Orders Ann Christine Lizenzmanagement GmbH & Co. KG to bear its own costs and to pay half the costs incurred by Reiner Appelhath-Cüpper Nachf. GmbH for the purposes of the proceedings before the Board of Appeal.

(¹) OJ C 101, 6.4.2013.

Judgment of the General Court of 23 September 2015 — Cerafogli v ECB

(Case T-114/13) (¹)

(Appeals — ECB Staff — Complaint of discrimination and psychological harassment — Decision of the ECB to close the administrative inquiry initiated following the complaint — Refusal of access to evidence during the administrative procedure — Rejection of a request for an order to produce evidence during the judicial proceedings — Right to effective judicial protection — Error of law)

(2015/C 389/29)

Language of the case: English

Parties

Appellant: Maria Concetta Cerafogli (Rome, Italy) (represented by: L. Levi, lawyer)

Other party to the proceedings: European Central Bank (ECB) (represented by: F. Feyerbacher, B. Ehlers, acting as Agents, and by B. Wägenbaur, lawyer)

Re:

Appeal brought against the judgment of the European Union Civil Service Tribunal (Third Chamber) of 12 December 2012 in *Cerafogli v ECB* (F-43/10, ECR, EU:F:2012:184), seeking the annulment of that judgment.

Operative part of the judgment

The Court:

1. Sets aside the judgment of the European Union Civil Service Tribunal (Third Chamber) of 12 December 2012 in *Cerafogli v ECB* (F-43/10);
2. Refers the case back to the Civil Service Tribunal;
3. Reserves the costs.

⁽¹⁾ OJ C 114, 20.4.2013.

Judgment of the General Court of 24 September 2015 — Italy and Spain v Commission

(Case T-124/13 and T-191/13) ⁽¹⁾

(Languages — Notice of open competition for the recruitment of administrators and assistants — Choice of second language from three languages — Language of communication with candidates in competitions — Regulation No 1 — Article 1d(1), Article 27 and Article 28(f) of the Staff Regulations — Principle of non-discrimination — Proportionality)

(2015/C 389/30)

Language of the case: Italian and Spanish

Parties

Applicants: Italian Republic (represented by: G. Palmieri, acting as Agent, assisted by P. Gentili, avvocato dello Stato) (Case T-124/13) and Kingdom of Spain (represented initially by S. Centeno Huerta, and subsequently by J. García-Valdecasas Dorrego, abogados del Estado) (Case T-191/13)

Defendant: European Commission (represented, in Case T-124/13, by J. Currall, B. Eggers and G. Gattinara and, in Case T-191/13, by J. Currall, J. Baquero Cruz and B. Eggers, acting as Agents)

Intervener in support of the applicant, Italian Republic: Kingdom of Spain (represented initially by S. Centeno Huerta, and subsequently by J. García-Valdecasas Dorrego, abogados del Estado)

Re:

In Case T-124/13, application for annulment, first, of the notice of open competition, EPSO/AST/125/12, for the drawing up of a reserve recruitment list for assistants in the fields of audit, finance and accounting, and economics and statistics (OJ 2012 C 394 A, p. 1), secondly, of the notice of open competition, EPSO/AST/126/12, for the drawing up of a reserve recruitment list of assistants in the fields of biology, life and health sciences, chemistry, physics and material sciences, nuclear research, civil and mechanical engineering, and electrical engineering and electronics (OJ 2012, C 394 A, p. 11) and, thirdly, of the notice of open competition, EPSO/AD/248/13, for the drawing up of a reserve recruitment list of administrators (AD 6) in the fields of buildings security and engineering in special building techniques (OJ 2013, C 29 A, p. 1), and in Case T-191/13, application for annulment of the notice of open competition, EPSO/AD/248/13.