

**Operative part of the order**

1. *There is no need to adjudicate in the present case.*
2. *ED shall bear one third of her own costs*
3. *The European Union Intellectual Property Office (EUIPO) shall bear its own costs and pay two thirds of the costs incurred by ED.*

<sup>(1)</sup> OJ C 184, 16.6.2014 (case initially registered before the Civil Service Tribunal of the European Union under number F-35/14 and transferred to the General Court of the European Union on 1.9.2016).

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**Order of the General Court of 24 November 2016 — ED v EUIPO**

**(Case T-520/16) <sup>(1)</sup>**

**(Civil service — Temporary staff — Teleworking — Request for extension — Refusal — Actions — Subsequent grant of invalidity — No need to adjudicate)**

(2017/C 022/51)

*Language of the case: English*

**Parties**

*Applicant:* ED (Barcelona, Spain) (represented by: S. Pappas, lawyer)

*Defendant:* European Union Intellectual Property Office (represented by: A. Lukošūūtė, acting as Agent)

**Re:**

Action brought under Article 270 TFEU, seeking annulment of the decision of EUIPO of 15 January 2014 refusing to grant the applicant's request of 26 September 2013 to be allowed essentially to continue teleworking from Barcelona (Spain) until her health was restored and annulment of the decision of the President of EUIPO of 3 June 2014 rejecting her complaint of 7 February 2014.

**Operative part of the order**

1. *There is no need to adjudicate in the present case.*
2. *ED shall bear one third of her own costs.*
3. *The European Union Intellectual Property Office (EUIPO) shall bear its own costs and pay two thirds of the costs incurred by ED.*

<sup>(1)</sup> OJ C 7, 12.1.2015 (case initially registered before the Civil Service Tribunal of the European Union under number F-93/14 and transferred to the General Court of the European Union on 1.9.2016).

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**Action brought on 28 September 2016 — Enrico Colombo and Giacomo Corinti v Commission**

**(Case T-690/16)**

(2017/C 022/52)

*Language of the case: Italian*

**Parties**

*Applicants:* Enrico Colombo SpA (Sesto Calende, Italy) and Giacomo Corinti (Ispra, Italy) (represented by: R. Colombo and G. Turri, lawyers)

*Defendant:* European Commission

### **Form of order sought**

The applicant claims that the Court should:

- annul the award decision (details and content unknown) communicated by note of 20 July 2016, Ref. Ares (2016) 371182, in which the European Commission (JRC — Ispra site management) awarded the contract in procedure JRC/IPR/2016/C.4/0002/OC concerning a framework agreement for works to construct and maintain water pipes and district heating/cooling substations at the Joint Research Centre in Ispra to the tender submitted by the concession holder;
- annul the note of 20 July 2016 Ref. Ares (2016) 371182, in which the European Commission (JRC — Ispra site management) communicated the result of the tendering procedure;
- annul the minutes of the award committee of 13 May 2016 and 28 June 2016;
- order, primarily, that compensation be awarded for the harm suffered, in kind, including by means of a declaration of invalidity, annulment or ineffectiveness of the contract, whose content and details are unknown, signed on 19 August 2016 by the Commission and the concession holder, the latter being subsequently replaced;
- order, in the alternative, that commensurate compensation be paid for the harm suffered, equivalent to EUR 500 000,00 or whatever greater or lesser amount the Court considers fair, together with interest and monetary indexation to the date of actual payment.

### **Pleas in law and main arguments**

In support of its action, the applicant relies on the following pleas in law: (i) infringement of Articles 105 and 107 of Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council of 25 October 2012 on the financial rules applicable to the general budget of the Union and repealing Council Regulation (EC, Euratom) No 1605/2002 (OJ 2012 L 298, p. 1), (ii) infringement of the *Lex specialis* concerning the tender in question, (iii) infringement of the principle of equal treatment and the right to due process, and (iv) misuse of power in the present case.

The applicants claim in that regard that the tender submitted by the concession holder should have been excluded on the ground that it does not meet the requirements of legal capacity and technical requirements imposed by the *Lex specialis*.

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### **Action brought on 22 October 2016 — QH v Parliament**

**(Case T-748/16)**

(2017/C 022/53)

*Language of the case: English*

### **Parties**

*Applicant:* QH (Woluwé-Saint-Pierre, Belgium) (represented by: N. Lhoëst and S. Michiels, lawyers)

*Defendant:* European Parliament

### **Form of order sought**

The applicant claims that the Court should:

- annul the decision of 26 January 2016 rejecting the applicant's request for assistance and, as a consequence, annul the decision of 12 July 2016 rejecting his complaint and award the applicant compensation for the damage allegedly suffered by him;
- order the defendant to pay the costs.