

3. Dismisses the action as to the remainder;
4. Orders the Parliament to pay the costs.

⁽¹⁾ OJ C 134, 16.4.2018.

Judgment of the General Court of 13 December 2018 — CH v Parliament

(Case T-83/18) ⁽¹⁾

(Civil service — Accredited parliamentary assistants — Article 24 of the Staff Regulations — Request for assistance — Article 12a of the Staff Regulations — Psychological harassment — Advisory Committee dealing with harassment complaints between Accredited Parliamentary Assistants and Members of the European Parliament and its prevention at the workplace — Decision rejecting the request for assistance — Right to be heard — Principle of audi alteram partem — Refusal to disclose the opinion of the Advisory Committee and the minutes of the hearing of witnesses — Refusal of the defendant institution to comply with a measure of inquiry of the General Court)

(2019/C 82/65)

Language of the case: French

Parties

Applicant: CH (represented by: C. Bernard-Glanz and A. Tymen, lawyers)

Defendant: European Parliament (represented by: D. Boytha and E. Taneva, acting as Agents)

Re:

Application based on Article 270 TFEU seeking, first, annulment of the decision of the Parliament of 20 March 2017 by which the authority empowered to conclude contracts of employment of that institution rejected the request for assistance made by the applicant on 22 December 2011 and, second, compensation for the loss she has allegedly suffered.

Operative part of the judgment

The Court:

1. Annuls the decision of the European Parliament of 20 March 2017, by which the authority empowered to conclude contracts of employment of that institution rejected the request for assistance made by CH on 22 December 2011;
2. Orders the Parliament to pay CH, in respect of non-material harm suffered, an amount of EUR 8 500;
3. Dismisses the action as to the remainder;
4. Orders the Parliament to pay the costs.

⁽¹⁾ OJ C 134, 16.4.2018.

Judgment of the General Court of 13 December 2018 — Multifit v EUIPO (fit+fun)

(Case T-94/18) ⁽¹⁾

(EU trade mark — Application for EU word mark fit+fun — Absolute ground for refusal — Lack of distinctiveness — Article 7(1)(b) of Regulation (EU) 2017/1001)

(2019/C 82/66)

Language of the case: German

Parties

Applicant: Multifit Tiernahrungs GmbH (Krefeld, Germany) (represented by: N. Weber and L. Thiel, lawyers)

Defendant: European Union Intellectual Property Office (represented by: M. Fischer, D. Walicka, M. Eberl and A. Sesma Merino, acting as Agents)

Re:

Action brought against the decision of the First Board of Appeal of EUIPO of 7 December 2017 (Case R 847/2017-1) concerning the registration of the word mark fit+fun as an EU trade mark.

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders Multifit Tiernahrungs GmbH to pay the costs.

⁽¹⁾ OJ C 134, 16.4.2018.

Judgment of the General Court of 13 December 2018 — Multifit v EUIPO (MULTIFIT)

(Case T-98/18) ⁽¹⁾

(EU trade mark — Application for EU word mark MULTIFIT — Absolute ground for refusal — Lack of distinctiveness — Article 7(1)(b) of Regulation (EU) 2017/1001)

(2019/C 82/67)

Language of the case: German

Parties

Applicant: Multifit Tiernahrungs GmbH (Krefeld, Germany) (represented by: N. Weber and L. Thiel, lawyers)

Defendant: European Union Intellectual Property Office (represented by: A. Sesma Merino, D. Walicka, M. Fischer and M. Eberl, acting as Agents)

Re:

Action brought against the decision of the First Board of Appeal of EUIPO of 15 November 2017 (Case R 846/2017-1), concerning an application for registration of the word sign MULTIFIT as a European Union trade mark.

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders Multifit Tiernahrungs GmbH to pay the costs.

⁽¹⁾ OJ C 134, 16.4.2018.

Judgment of the General Court of 13 December 2018 — Knauf v EUIPO (upgrade your personality)

(Case T-102/18) ⁽¹⁾

(EU trade mark — Application for EU word mark upgrade your personality — Absolute ground for refusal — Lack of distinctive character — Advertising slogan — Article 7(1)(b) of Regulation (EU) 2017/1001)

(2019/C 82/68)

Language of the case: German

Parties

Applicant: Martin Knauf (Berlin, Germany) (represented by: H. Jaeger, lawyer)