

- the Commission shall pay Mr Chemin the sum of EUR 29 592 (twenty-nine thousand five hundred and ninety-two) as compensation for the material damage and the sum of EUR 1 (one) as compensation for the non-material damage suffered;
  - the Commission shall pay Miss Copes the sum of EUR 1 (one) as compensation for the non-material damage suffered;
  - the Commission shall pay Mr Mondini the sum of EUR 5 000 (five thousand) as compensation for the material damage and the sum of EUR 1 (one) as compensation for the non-material damage suffered;
  - the Commission shall pay Miss Preissler the sum of EUR 11 929 (eleven thousand nine hundred and twenty-nine) as compensation for the material damage and the sum of EUR 1 (one) as compensation for the non-material damage suffered;
  - the Commission shall pay Mrs Bertolo the sum of EUR 1 (one) as compensation for the non-material damage suffered;
  - the Commission shall pay Mr Brovelli the sum of EUR 1 (one) as compensation for the non-material damage suffered;
  - the Commission shall pay Mrs D'Elia the sum of EUR 1 (one) as compensation for the non-material damage suffered.
- 4) The remainder of the action in Case T-115/01 is dismissed.
  - 5) The Commission shall bear its own costs and pay the costs incurred by the applicants in Case T-331/00.
  - 6) The Commission shall bear its own costs and pay three-quarters of the costs incurred by the applicants in Case T-115/01.
  - 7) The applicants in Case T-115/01 shall bear a quarter of their own costs.

<sup>(1)</sup> OJ C 372 of 23.12.00 and OJ C 227 of 11.8.01.

## JUDGMENT OF THE COURT OF FIRST INSTANCE

of 5 November 2003

**in Case T-326/01: Giorgio Lebedef v Commission of the European Communities <sup>(1)</sup>**

**(Officials — Staff report — Exercise of activities as staff representative and union activities — Action for annulment)**

(2004/C 35/11)

(Language of the case: French)

In Case T-326/01: Giorgio Lebedef, official of the Commission of the European Communities, residing in Senningerberg

(Luxembourg), represented by G. Bounéou and F. Frabetti, lawyers, with an address for service in Luxembourg, against Commission of the European Communities (Agents: J. Currall and C. Berardis-Kayser) — application for the annulment of the decision adopting the definitive staff report of the applicant for the period running from 1 July 1995 to 30 June 1997 — the Court of First Instance (Fourth Chamber), composed of V. Tiili, President, P. Mengozzi and M. Vilaras, Judges; I. Natsinas, Administrator, for the Registrar, gave a judgment on 5 November 2003, in which it:

1. Dismisses the application.
2. Orders the parties to bear their own costs.

<sup>(1)</sup> OJ C 84 of 6.4.02

## JUDGMENT OF THE COURT OF FIRST INSTANCE

of 18 November 2003

**in Case T-13/02: Falk-Ulrich von Hoff v European Parliament <sup>(1)</sup>**

**(Officials — Temporary staff — Installation allowance — Change in place of employment — Default interest)**

(2004/C 35/12)

(Language of the case: German)

In Case T-13/02: Falk-Ulrich von Hoff, a member of the temporary staff of the European Parliament, residing in Berlin-Wittenau (Germany), represented by B. Wägenbaur, lawyer, against European Parliament (Agents: J. de Wachter and U. Rösslein) — application for, first, annulment of the decision of the European Parliament of 17 April 2001, refusing to grant the applicant an installation allowance in connection with the change in his place of employment and, second, an order that the European Parliament pay to the applicant an installation allowance amounting to two months' basic salary, together with interest at 8 % from the date of the application — the Court of First Instance (Fifth Chamber), composed of R. García-Valdecasas, President, J.D. Cooke and P. Lindh, Judges; I. Natsinas, administrator, for the Registrar, gave a judgment on 18 November 2003, in which it:

1. Annuls the decision of the Parliament of 17 April 2001 refusing to grant the applicant an installation allowance;

2. Orders the Parliament to pay the applicant the installation allowance provided for by Article 5 of Annex VII of the Staff Regulations, amounting to two months' basic salary, together with default interest from 24 January 2002. The interest rate to be applied shall be two points higher than the rate fixed by the European Central Bank for principal refinancing operations applicable during the period concerned.

3. Orders the Parliament to bear all the costs.

(<sup>1</sup>) OJ C 97 of 20.4.2002.

1. The application is dismissed as inadmissible.

2. The applicant shall pay the costs.

(<sup>1</sup>) OJ C 169, 13.7.2002.

#### ORDER OF THE COURT OF FIRST INSTANCE

of 5 November 2003

**in Case T-130/02: Kronoply GmbH & Co. KG v Commission of the European Communities** (<sup>1</sup>)

*(State aid — Multisectorial framework on regional aid for large investment projects — Application for correction of a decision declaring aid to be compatible with the common market — Commission response — Not in the nature of a decision — Application for annulment — Inadmissible)*

(2004/C 35/13)

(Language of the case: German)

In Case T-130/02: Kronoply GmbH & Co. KG, whose registered office is in Heiligengrabe, Germany, originally represented by B. Luther and subsequently by R. Nierer, lawyers, against the Commission of the European Communities (Agents: V. Di Bucci and T. Scharf) — application for annulment of the alleged decision of the Commission of 5 February 2002 not to correct its decision of 3 July 2001 relating to the authorisation of State aid in the sum of DEM 69,3 million to the applicant for an investment in Heiligengrabe, Germany — the Court of First Instance (Fourth Chamber, Extended Composition), composed, at the time of its deliberation, of V. Tiili, President, and J. Pirrung, P. Mengozzi, A.W.H. Meij and M. Vilaras, Judges; H. Jung, Registrar, made an order on 5 November 2003, the operative part of which is as follows:

#### ORDER OF THE COURT OF FIRST INSTANCE

of 17 November 2003

**in Case T-235/02: Strongline A/S v Office for Harmonisation in the Internal Market (Trade Marks and Designs) (OHIM)** (<sup>1</sup>)

*(Community trade mark — Opposition procedure — Failure to produce evidence in the language of the opposition procedure — Rule 17(2) of Regulation (EC) No 2868/95 — Action manifestly inadmissible)*

(2004/C 35/14)

(Language of the case: English)

In Case T-235/02: Strongline A/S, established in Glostrup (Denmark), represented by J.S. Ørndrup, lawyer, against Office for Harmonisation in the Internal Market (Trade Marks and Designs) (OHIM) (Agent: O. Waelbroek), the intervener before the Court of First Instance being Scala Inc., established in Exton, Pennsylvania (United States of America), represented by R.M. Hiddleston, solicitor — action brought against the decision of the First Board of Appeal of the Office for Harmonisation in the Internal Market (Trade Marks and Designs) of 27 May 2002 (Case R 830/2001-1) on the refusal of an opposition for failure to substantiate rights based on earlier trade marks — the Court of First Instance (Second Chamber), composed of J. Pirrung, President, A.W.H. Meij and N.J. Forwood, Judges; H. Jung, Registrar, has made an order on 17 November 2003, the operative part of which is as follows:

1. The action is dismissed.

2. The applicant shall pay the costs.

(<sup>1</sup>) OJ C 233 of 28.9.02.