

In support of his action, the applicant relies in particular on the breach of the first paragraph of Article 31 and the first paragraph of Article 33 of the Conditions of Employment of Other Servants (CEOS), as interpreted by the Civil Service Tribunal in its judgment of 16 January 2007 in Case F-119/05 *Gesner v OHIM* (not yet published in the ECR).

Action brought on 15 March 2007 — Lafleur-Tighe v Commission

(Case F-24/07)

(2007/C 117/56)

Language of the case: French

Parties

Applicant: Virgine Lafleur-Tighe (Makati, Philippines) (represented by S. Rodrigues and C. Bernard-Glanz, lawyers)

Defendant: Commission of the European Communities

Form of order sought

- annul the decision of the Appointing Authority to classify the applicant in grade 13, step 1 at the date of his recruitment as a contract agent, entailed by the employment contract signed on 22 December 2005;
- indicate to the Appointing Authority the effects of the annulment of the contested decision and, in particular, of the recognition of the applicant's professional experience from 16 November 1993, the date he obtained his bachelor's degree, and his reclassification in grade 14, with retroactive effect from 22 December 2005;
- Order the defendant to pay the costs.

Pleas in law and main arguments

The applicant, in addition to relying on the pleas in law very similar to those which she raised in Case F-135/06 ⁽¹⁾, claims, in particular, that there has been a breach of the principle of free movement in respect of degrees and professional qualifications.

⁽¹⁾ OJ C 236, 30.12.2006, p. 87.

Action brought on 22 March 2007 — Bleser v Court of Justice

(Case F-25/07)

(2007/C 117/57)

Language of the case: German

Parties

Applicant: Thomas Bleser (Nittel, Germany) (represented by: P. Goergen, lawyer)

Defendant: Court of Justice of the European Communities

Form of order sought

- Annulment of the applicant's classification in the grade allocated to him in the decision of 16 March 2006 regarding his appointment;
- Annulment of Articles 2 and 13 in Appendix XIII and of Article 32 of the Staff Regulations which entered into force on 1 May 2004;
- Classification of the applicant in the grade which was published in the notice of competition or in the grade which corresponds to it according to the classifications of the new Staff Regulations (and in the corresponding step according to the provisions which were applicable before 1 May 2004);
- Award of damages in the amount corresponding to the difference in remuneration;
- Award of damages in the amount of EUR 10 000 in respect of the non-material damage suffered;
- Order the Court of Justice to pay the costs.

Pleas in law and main arguments

The action is essentially brought against the provisions of Articles 2 and 13 in Appendix XIII and of Article 32 of the Staff Regulations of Officials of the European Communities which entered into force on 1 May 2004.

The applicant submits that his classification should have been carried out under the Staff Regulations which were in force at the time when he sat the selections tests and were more favourable to him. In support of his action, he claims that his classification infringed the principle of equality, the principle of non-discrimination and the prohibition of discrimination based on age.