

**Judgment of the Civil Service Tribunal (Third Chamber) of
5 March 2008 — Toronjo Benitez v Commission**

(Case F-33/07)

(Civil Service — Officials — Promotion — Former members of the temporary staff whose remuneration falls under research credits — Removal of points from the applicant's balance — Transfer of an official from the Research part to the Operational part of the general budget — Unlawfulness of Article 2 of the Commission's decision of 16 June 2004 on the promotion procedure for officials whose remuneration falls under the 'Research' credits of the general budget)

(2008/C 158/41)

Language of the case: French

Parties

Applicant: Alberto Toronjo Benitez (Brussels, Belgium) (represented by: S. Orlandi, A. Coolen, J.-N. Louis and É. Marchal, lawyers)

Defendant: Commission of the European Communities (represented by: C. Berardis-Kayser and K. Herrmann, Agents)

Re:

First, annulment of the Commission's decision to remove the 44,5 points from the applicant's balance which he had accumulated as a member of the temporary staff and, second, a declaration that Article 2 of the Commission's decision on the promotion procedure for officials whose remuneration falls under the 'Research' credits of the general budget is unlawful.

Operative part of the judgment

The Tribunal:

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

**Judgment of the Civil Service Tribunal (Third Chamber) of
16 April 2008 — Doktor v Council**

(Case F-73/07)

(Staff cases — Officials — Recruitment — Dismissal at the end of the probationary period)

(2008/C 158/42)

Language of the case: French

Parties

Applicant: Frantisek Doktor (Bratislava, Slovakia) (represented by: S. Rodrigues, R. Albelice and C. Bernard-Glanz, lawyers)

Defendant: Council of the European Union (represented by: M. Arpio Santacruz and M. Simm, Agents)

Re:

First, annulment of the decision of the Council's Appointing Authority of October 2006 dismissing the applicant at the end of his probationary period and, secondly, an application for damages.

Operative part of the judgment

The Tribunal:

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

**Order of the President of the Civil Service Tribunal of
25 April 2008 — Bennett and Others v OHIM**

(Case F-19/08 R)

(Civil service — Interim measures — Application to suspend the operation of a measure — Competition notice — Urgency — None)

(2008/C 158/43)

Language of the case: French

Parties

Applicants: Kelly-Marie Bennett (Alicante, Spain) and Others (represented by: G. Vandersanden, lawyer)

Defendant: Office for Harmonisation in the Internal Market (Trade Marks and Designs) (OHIM) (represented by: I. de Medrano Caballero and E. Maurage, Agents)

Re:

Application to suspend the operation of Competition Notices OHIMIAD/02/07 and OHIMIAD/02/07 until judgment has been delivered on the substance of the case, with the effect that the applicants are not required to take part in the tests in those competitions and that their contracts cannot be terminated by reason of the fact that they are not on the reserve lists.