

*Defendant:* European Union Intellectual Property Office (represented by: S. Palmero Cabezas and H. O'Neill, acting as Agents)

*Other party to the proceedings before the Board of Appeal of EUIPO, intervener before the General Court:* Laboratorios Ern, SA (Barcelona, Spain) (represented by: S. Correa Rodríguez, lawyer)

**Re:**

Action brought against the decision of the Fourth Board of Appeal of EUIPO of 19 November 2018 (Case R 1725/2017-4), relating to opposition proceedings between Laboratorios Ern and SBS Bilimsel Bio Çözümler Sanayi Ve Ticaret.

**Operative part of the judgment**

The Court:

1. Annuls the decision of the Fourth Board of Appeal of the European Union Intellectual Property Office (EUIPO) of 19 November 2018 (Case R 1725/2017-4) as regards 'Pharmaceutical and veterinary preparations for medical purposes; chemical preparations for medical and veterinary purposes, chemical reagents for pharmaceutical and veterinary purposes; dietary supplements for pharmaceutical and veterinary purposes; dietary supplements; nutritional supplements; medical preparations for slimming purposes; food for babies; herbs and herbal beverages adapted for medicinal purposes; herbal supplements; herbal creams for medical purposes; herbal creams for medical use; herbal teas for medicinal purposes; liquid herbal supplements; teeth filling material, dental impression material, dental adhesives and material for repairing teeth; sanitary preparations for medical use; hygienic pads; hygienic tampons; plasters; materials for dressings; diapers, including those made of paper and textiles; fungicides; disinfectants; antiseptics; detergents for medical purposes' in Class 5 and 'bee glue for human consumption, propolis, propolis for human consumption' in Class 30;
2. Dismisses the action as to the remainder;
3. Orders EUIPO to bear its own costs and to pay those incurred by SBS Bilimsel Bio Çözümler Sanayi Ve Ticaret AŞ;
4. Orders Laboratorios Ern, SA to bear its own costs.

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<sup>(1)</sup> OJ C 103, 18.3.2019.

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**Judgment of the General Court of 5 October 2020 — Broughton v Eurojust**

(Case T-87/19) <sup>(1)</sup>

*(Civil service — Members of the temporary staff — Deferral of advancement to a higher step for a period of six months — Annulment of reclassification in the higher grade — Ability to work in a third language — Administrative investigation — Duty to act in good faith — Impartiality — Rights of the defence — Equality of arms — Obligation to state reasons — Articles 11 and 12 of the Staff Regulations)*

(2020/C 423/51)

*Language of the case: Dutch*

**Parties**

*Applicant:* Jon Broughton (Rotterdam, Netherlands) (represented by: D. Coppens, lawyer)

*Defendant:* European Union Agency for Criminal Justice Cooperation (Eurojust) (represented by: J. Jooma and A. Terstegen-Verhaag, acting as Agents, and by D. Waelbroeck and A. Duron, lawyers)

**Re:**

Action brought under Article 270 TFEU seeking, in essence, first, annulment of the decisions of 4 May 2018 by which Eurojust deferred the applicant's advancement to a higher step for a period of six months, held that French was his third language, annulled his reclassification from grade AD 9 to AD 10, which occurred in 2012, and proceeded to recover the amounts received since that year on account of that reclassification, second, a declaration that French must be considered to be the applicant's second language and Dutch his third language, third, a declaration that the recovery of the amounts received by the applicant as a result of his reclassification in grade was unlawful and that the amounts recovered by Eurojust must be reimbursed to the applicant and, fourth, a declaration that Eurojust must restore the applicant's legal position to what it was previously.

**Operative part of the judgment**

The Court:

1. Dismisses the action;
2. Orders Jon Broughton to bear his own costs and to pay those incurred by the European Union Agency for Criminal Justice Cooperation (Eurojust).

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(<sup>1</sup>) OJ C 139, 15.4.2019.

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**Judgment of the General Court of 5 October 2020 — CU v Committee of the Regions**

(Case T-487/19) (<sup>1</sup>)

*(Civil service — Officials — Basic monthly salaries of officials recruited before 1 May 2004 — Application of a multiplication factor of less than one — Reduction of the multiplication factor — Error of law — Equal treatment — Legitimate expectations)*

(2020/C 423/52)

*Language of the case: French*

**Parties**

*Applicant:* CU (represented by: T. Martin and S. Orlandi, lawyers)

*Defendant:* Committee of the Regions (represented by: B. Rentmeister, acting as Agent, and by A. Dal Ferro, lawyer)

*Intervener in support of the defendant:* European Commission (represented by: T. Bohr, T. Lilamand and B. Mongin, acting as Agents)

**Re:**

Action brought under Article 270 TFEU seeking annulment of the Committee of the Regions' decision of 18 October 2018 promoting the applicant to grade AD 14, step 1, in so far as it set his multiplication factor at 0,9589951.

**Operative part of the judgment**

The Court:

1. Dismisses the action;
2. Orders CU and the Committee of the Regions to bear their own costs;
3. Orders the European Commission to bear its own costs.

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(<sup>1</sup>) OJ C 295, 2.9.2019.