

**Operative part of the judgment**

The Court:

1. Dismisses the action;
2. Orders Bach Flower Remedies Ltd to bear its own costs and to pay those incurred by the European Union Intellectual Property Office (EUIPO).

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<sup>(1)</sup> OJ C 294, 7.9.2015.

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**Judgment of the General Court of 30 September 2016 — Alpex Pharma v EUIPO — Astex Pharmaceuticals (ASTEX)**

(Case T-355/15) <sup>(1)</sup>

**(EU trade mark — Opposition proceedings — Application for EU word mark ASTEX — Earlier EU word mark ALPEX — No genuine use of the earlier mark — Article 42(2) of Regulation (EC) No 207/2009 — Article 75 of Regulation No 207/2009 — Article 76(1) of Regulation No 207/2009)**

(2016/C 419/51)

Language of the case: English

**Parties**

*Applicant:* Alpex Pharma SA (Mezzovico-Vira, Switzerland) (represented by: C. Bacchini, M. Mazzitelli and E. Rondinelli, lawyers)

*Defendant:* European Union Intellectual Property Office (represented by: M. Rajh, acting as Agent)

*Other party to the proceedings before the Board of Appeal of EUIPO:* Astex Pharmaceuticals, Inc. (Plesanton, United States)

**Re:**

Action brought against the decision of the Second Board of Appeal of EUIPO of 28 April 2015 (Case R 593/2014-2), relating to opposition proceedings between Alpex Pharma and Astex Pharmaceuticals.

**Operative part of the judgment**

The Court:

1. Dismisses the action;
2. Orders Alpex Pharma, SA, to pay the costs.

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<sup>(1)</sup> OJ C 294, 7.9.2015.

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**Judgment of the General Court of 5 October 2016 — CJ v ECDC**

(Case T-370/15) <sup>(1)</sup>

**(Appeal — Civil service — Member of the contract staff — Fixed-term contract — Termination — Breakdown in the relationship of trust — Right to be heard)**

(2016/C 419/52)

Language of the case: English

**Parties**

*Appellant:* CJ (Agios Stefanos, Greece) (represented by: V. Koliass, lawyer)

*Other party to the proceedings:* European Centre for Disease Prevention and Control (ECDC) (represented by: J. Mannheim and A. Daume, acting as Agents, and by D. Waelbroeck and A. Duron, lawyers)

**Re:**

Appeal brought against the judgment of the European Union Civil Service Tribunal (Second Chamber) of 29 April 2015, *CJ v ECDC* (F-159/12 and F-161/12, EU:F:2015:38), seeking to have that judgment set aside in part

**Operative part of the judgment**

*The Court:*

1. Dismisses the appeal against the judgment of the European Union Civil Service Tribunal (Second Chamber) of 29 April 2015 in *CJ v ECDC* (F-159/12 and F-161/12, EU:F:2015:38) so far as that appeal concerns Case F-159/12;
2. Declares that *CJ* shall bear his own costs and orders him to pay those incurred by the European Centre for Disease Prevention and Control (ECDC) in the present proceedings, in so far as those costs relate to Case F-159/12;
3. Sets aside points 3 and 5 of the operative part of the judgment of the European Union Civil Service Tribunal (Second Chamber) of 29 April 2015 in *CJ v ECDC* (F-159/12 and F-161/12, EU:F:2015:38);
4. Refers the present case, in so far as it concerns Case F-161/12, to a chamber other than that which has ruled on the present appeal;
5. Reserves the costs relating to the present proceedings in so far as they relate to Case F-161/12.

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<sup>(1)</sup> OJ C 311, 21.9.2015.

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**Judgment of the General Court of 5 October 2016 — ECDC v CJ**

**(Case T-395/15) <sup>(1)</sup>**

**(Appeal — Civil service — Member of the contract staff — Fixed-term contract — Termination — Breakdown in the relationship of trust — Right to be heard)**

(2016/C 419/53)

*Language of the case: English*

**Parties**

*Appellant:* European Centre for Disease Prevention and Control (represented by: J. Mannheim and A. Daume, acting as Agents, and by D. Waelbroeck and A. Duron, lawyers)

*Other party to the proceedings:* CJ (Agios Stefanos, Greece) (represented by: V. Koliass, lawyer)

**Re:**

Appeal brought against the judgment of the European Union Civil Service Tribunal (Second Chamber) of 29 April 2015, *CJ v ECDC* (F-159/12 and F-161/12, EU:F:2015:38), seeking to have that judgment set aside in part.

**Operative part of the judgment**

*The Court:*

1. Dismisses the action;
2. Orders the European Centre for Disease Prevention and Control (ECDC) to pay the costs.

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<sup>(1)</sup> OJ C 311, 21.9.2015.