

## JUDGMENT OF THE COURT OF FIRST INSTANCE

of 26 February 2003

in Case T-145/01: Benito Latino v Commission of the European Communities <sup>(1)</sup>

*(Officials — Occupational disease — Validity of the opinion of the Medical Committee — Evidence of the occupational origin of the disease — Scientific uncertainty — Proper conduct of the procedure preceding the reference to the Medical Committee)*

(2003/C 112/57)

*(Language of the case: French)*

In Case T-145/01: Benito Latino, former official of the Commission of the European Communities, residing in Sérignac-Peboudou (France), represented by G. Vandersanden and L. Levi, lawyers, against Commission of the European Communities (Agents: J. Currall and J.-L. Fagnart) — application for the annulment of the decision of the Commission of 10 August 2000 rejecting the applicant's request that it acknowledge the occupational origin of his arthritic symptoms and charging to the applicant the fees and incidental expenses of the doctor appointed by the applicant to the Medical Committee and half of the fees and incidental expenses of the third doctor making up the committee - the Court of First Instance (First Chamber), composed of B. Vesterdorf, President, N. J. Forwood and H. Legal, Judges; D. Christensen, Administrator, for the Registrar, gave a judgment on 26 February 2003, in which it:

1. annuls the decision of the Commission of 10 August 2000 insofar as it charges to the applicant the fees and incidental expenses of the doctor appointed by the applicant to the Medical Committee and half of the fees and incidental expenses of the third doctor;
2. dismisses the remainder of the application;
3. orders the parties to bear their own costs.

<sup>(1)</sup> OJ C 245 of 1.9.01.

## JUDGMENT OF THE COURT OF FIRST INSTANCE

of 26 February 2003

in Case T-164/01: Arnaldo Lucaccioni v Commission of the European Communities <sup>(1)</sup>*(Officials — Action for damages — Admissibility)*

(2003/C 112/58)

*(Language of the case: Italian)*

In Case T-164/01: Arnaldo Lucaccioni, a former official of the Commission of the European Communities, residing in St-Leonard-on-Sea (United Kingdom), represented by M. Cimino and F. Apruzzi, lawyers, against Commission of the European Communities (Agents: J. Currall and A. Dal Ferro) — application for compensation under the ordinary law governing non-contractual liability applicable under Article 236 EC, for pain and suffering and physical harm suffered by the applicant for the period preceding the onset of his occupational disease as a result of the Commission's negligence, — the Court of First Instance (First Chamber), composed of: B. Vesterdorf, President, and N. J. Forwood and H. Legal, Judges; J. Palacio González, Principal Administrator, for the Registrar, has given a judgment on 26 February 2003, in which it:

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

<sup>(1)</sup> OJ C 275 of 29.9.01.

## JUDGMENT OF THE COURT OF FIRST INSTANCE

of 5 March 2003

in Case T-194/01: Unilever NV v Office for Harmonisation in the Internal Market (Trade Marks and Designs) (OHIM) <sup>(1)</sup>

*(Community trade mark — Three-dimensional mark — Shape of a product for dishwashers — Ovoid tablet — Absolute ground for refusal — Article 7(1)(b) of Regulation (EC) No 40/94)*

(2003/C 112/59)

*(Language of the case: English)*

In Case T-194/01, Unilever NV, established in Rotterdam (Netherlands), represented by V. von Bomhard and A. Renck,