

FORTY-SECOND ORDINARY SESSION

***In re* NIVEAU DE VILLEDARY (No. 2)**

Judgment No. 387

THE ADMINISTRATIVE TRIBUNAL,

Considering the complaint brought against the European Patent Organisation (EPO) by Mr. Hubert Etienne Marie Niveau de Villedary on 14 March 1978 and brought into conformity with the Rules of Court on 29 May, the EPO's reply of 14 June, the complainant's rejoinder of 20 September and the EPO's statement of 21 November 1978 that it did not wish to file a surrejoinder;

A. Considering that the complainant asked the Tribunal to quash a decision dated 14 December 1977 refusing to allow him to benefit under the provisions of the Staff Regulations of the former International Patent Institute, which has been integrated into the European Patent Office, on reserve status, education allowance, home leave expenses and pension benefits;

B. Considering that by a letter dated 3 May 1979 the complainant informed the Registrar of the Tribunal that he had been transferred to the headquarters of the European Patent Office, in Munich; that, if he refused the transfer, the Office would allow him to benefit under the provisions of the Staff Regulations of the International Patent Institute on reserve status; and that he wished to withdraw suit;

C. Considering that by a letter of 14 May 1979 the EPO stated that it had no objection to the withdrawal of suit;

D. Considering that suit is unreservedly withdrawn;

DECISION:

The withdrawal of suit is hereby recorded.

In witness of this judgment by Mr. Maxime Letourneur, President, Mr. André Grisel, Vice-President, and the Right Honourable Lord Devlin, P.C., Judge, the aforementioned have hereunto subscribed their signatures as well as myself, Bernard Spy, Registrar of the Tribunal.

Delivered in public sitting in Geneva on 18 June 1979.

(Signed)

M. Letourneur
André Grisel
Devlin

Bernard Spy