

**Board of Appeal**  
**PUBLIC VERSION**

**MINUTES**

**21<sup>st</sup> Board of Appeal meeting (restricted)**

**16 July 2020, 10 – 13h,**

Teleconference

The meeting of the Board of Appeal is restricted due to the appeal cases A-001-2020, A-002-2020 and A-003-2020 dealt with.

**By teleconference:**

Member	<b>Andris Piebalgs (Chairman)</b>
Member	<b>Yvonne Fredriksson</b>
Member (by replacement)	<b>Nadia Horstmann (Rapporteur of case A-002-2020)</b>
Member	<b>Jean-Yves Ollier</b>
Member	<b>Mariusz Swora (Rapporteur of case A-003-2020)</b>
Member	<b>Michael Thomadakis (Rapporteur of case A-001-2020)</b>
Registrar	<b>Ronja Linßen</b>

**1. The Board of Appeal approved the Agenda as follows:**

Agenda items	BoA decision
1. Briefing on case A-001-2020 by the Rapporteur	No
2. Discussion on the merits of case A-001-2020	No
3. Decision on case A-001-2020	Yes

**Board of Appeal**

4. Briefing on case A-002-2020 by the Rapporteur	No
5. Discussion on the merits of case A-002-2020	No
6. Decision on case A-002-2020	Yes
7. Briefing on case A-003-2020 by the Rapporteur	No
8. Discussion on the merits of case A-003-2020	No
9. Decision on case A-003-2020	Yes

**2. Discussion of the items of the Agenda**

***Agenda item n° 1. – Briefing on case A-001-2020 by the Rapporteur***

The members overview the Report which was previously shared with them in written form.

***Agenda item n° 2. – Discussion on the merits of case A-001-2020***

Subsequently, in accordance with Article 22(2) of the Rules of Procedure, each member had the chance to comment on the report and to state his or her opinion and the reasons for it. The Chairman was heard last.

**(restricted part)**

In accordance with Article 22 of the Rules of Procedure, deliberations shall be and shall remain secret.

***Agenda item n° 3. – Decision on case A-001-2020***

The Chairman of the Board of Appeal, in accordance with Article 23 of the Rules of Procedure, ordered the procedure for voting about the Rapporteur’s report in order to reach the final decision of the BoA.

**Board of Appeal**

The Board of Appeal reached the following decision:

**BoA Decision 16 July 2020**

**Case A-001-2020**

**(restricted part)**

***Agenda item n° 4. – Briefing on case A-002-2020 by the Rapporteur***

The members overview the Report which was previously shared with them in written form.

***Agenda item n° 5. – Discussion on the merits of case A-002-2020***

Subsequently, in accordance with Article 22(2) of the Rules of Procedure, each member had the chance to comment on the report and to state his or her opinion and the reasons for it. The Chairman was heard last.

**(restricted part)**

In accordance with Article 22 of the Rules of Procedure, deliberations shall be and shall remain secret.

***Agenda item n° 6. – Decision of case A-002-2020***

The Chairman of the Board of Appeal, in accordance with Article 23 of the Rules of Procedure, ordered the procedure for voting about the Rapporteur's report in order to reach the final decision of the BoA.

The Board of Appeal reached the following decision:

**Board of Appeal**  
**BoA Decision 16 July 2020**

**Case A-002-2020**

**(restricted part)**

***Agenda item n° 7. – Briefing on case A-003-2020 by the Rapporteur***

The members overview the Report which was previously shared with them in written form.

***Agenda item n° 8. – Discussion on the merits of case A-003-2020***

Subsequently, in accordance with Article 22(2) of the Rules of Procedure, each member had the chance to comment on the report and to state his or her opinion and the reasons for it. The Chairman was heard last.

**(restricted part)**

In accordance with Article 22 of the Rules of Procedure, deliberations shall be and shall remain secret.

***Agenda item n° 9. – Decision of case A-003-2020***

The Chairman of the Board of Appeal, in accordance with Article 23 of the Rules of Procedure, ordered the procedure for voting about the Rapporteur's report in order to reach the final decision of the BoA.

The Board of Appeal reached the following decision:

**BoA Decision 16 July 2020**

**Case A-003-2020**

**(restricted part)**

Then the meeting was adjourned.

*For the Board of Appeal:*

*Andris Piebalgs, Chairman*