Order of the General Court of 21 October 2011 — Groupement Adriano, Jaime Ribeiro, Conduril v Commission

(Case T-335/09) [1]

(Action for annulment — MEDA I programme — Specific financing agreement — Mandate given to the European Union to recover debts owed by a third party to the Kingdom of Morocco — Debit note — Reminder letter — Acts inseparable from the contract — Act not amenable to review — Inadmissibility)

(2011/C 370/41)

Language of the case: Portuguese

Parties

Applicants: Groupement Adriano, Jaime Ribeiro, Conduril — Construção, ACE (Porto, Portugal) (represented by: A. Pinto Cardoso and L. Fuzeta da Ponte, lawyers)

Defendant: European Commission (represented by: A.-M. Rouchaud-Joët and S. Delaude, Agents, and R. Faria da Cunha, lawyer)

Re:

Action for annulment of, first, debit note No 3230905272 issued by the Commission on 12 June 2009 and, second, of the letter of 3 August 2009 by which the Commission ordered payment of the sum claimed by means of the debit note and related default interest.

Operative part of the order

1. *The action is dismissed as inadmissible.*

2. *The European Commission is ordered to bear its own costs and to pay the costs incurred by Groupement Adriano, Jaime Ribeiro, Conduril — Construção, ACE.*

[1] OJ C 267, 7.11.2009.

Action brought on 19 September 2011 — Euro-Information v OHIM (EURO AUTOMATIC PAIEMENT)

(Case T-497/11)

(2011/C 370/42)

Language of the case: French

Parties

Applicant: Euro-Information — Européenne de traitement de l'information (Strasbourg, France) (represented by: A. Grolée, lawyer)

Defendant: Office for Harmonisation in the Internal Market (Trade Marks and Designs)

Form of order sought

The applicant claims that the Court should:

— Annul the decision of the Second Board of Appeal of the Office for Harmonisation in the Internal Market (Trade Marks and Designs) of 7 July 2011 in Case R 370/2011-2;

— Order the Office for Harmonisation in the Internal Market (Trade Marks and Designs) to pay the costs incurred by the applicant in the proceedings before OHIM and in the present case

Pleas in law and main arguments

Community trade mark concerned: the word mark 'EURO AUTOMATIC PAIEMENT' for goods and services in Classes 9, 35, 36, 37, 38, 42 and 45

Decision of the Examiner: rejection of the application

Decision of the Board of Appeal: dismissal of the appeal

Pleas in law: Infringement of Article 7(1)(c) of Regulation No 207/2009 in so far as the mark submitted for registration is not descriptive.

Action brought on 7 October 2011 — Luxembourg Patent Co. v OHIM — DETEC (FIREDETEC)

(Case T-527/11)

(2011/C 370/43)

Language in which the application was lodged: English

Parties

Applicant: Luxembourg Patent Co. SA (Lintgen, Luxembourg) (represented by: K. Manhaeve, lawyer)

Defendant: Office for Harmonisation in the Internal Market (Trade Marks and Designs)

Other party to the proceedings before the Board of Appeal: Sistemas de Seguridad, Detección y Extinción de Incendios, SL (DETEC) (Madrid, Spain)

Form of order sought

— Annul the decision of the Fourth Board of Appeal of the Office for Harmonisation in the Internal Market (Trade Marks and Designs) of 26 July 2011 in case R 736/2010-4 insofar as it has declared the opponent's opposition successful against the applicant's trademark application for 'fire-extinguishing apparatus; fire-extinguishing apparatus for automatic and independent detection and extinguishing of fires' in class 9 and 'development of fire extinguishers and fire extinguishing apparatus' in class 42; and