V

(Announcements)

COURT PROCEEDINGS

COURT OF JUSTICE

Judgment of the Court (Grand Chamber) of 19 June 2012 (reference for a preliminary ruling from The Person Appointed by the Lord Chancellor — United Kingdom) — Chartered Institute of Patent Attorneys v Registrar of Trade Marks

(Case C-307/10) [1]

(Trade marks — Approximation of laws of the Member States — Directive 2008/95/EC — Identification of the goods or services for which the protection of a trade mark is sought — Requirements of clarity and precision — Use of class headings of the Nice Classification for the purposes of the registration of trade marks — Whether permissible — Extent of protection of the trade mark)

(2012/C 250/02)

Language of the case: English

Referring court

The Person Appointed by the Lord Chancellor

Parties to the main proceedings

Applicant: Chartered Institute of Patent Attorneys

Defendant: Registrar of Trade Marks

Re:

Reference for a preliminary ruling — The Person Appointed by the Lord Chancellor — Interpretation of Directive 2008/95/EC of the European Parliament and of the Council of 22 October 2008 to approximate the laws of the Member States relating to trade marks (Codified version) (OJ 2008 L 299, p. 25) — Classification of goods or services for the purposes of registration — Degree of clarity and precision required as regards the identification of the goods or services covered by a trade mark

Operative part of the judgment

Directive 2008/95/EC of the European Parliament and of the Council of 22 October 2008 to approximate the laws of the Member States relating to trade marks must be interpreted as meaning that it requires the goods and services for which the protection of the trade mark is sought to be identified by the applicant with sufficient clarity and precision to enable the competent authorities and economic operators, on that basis alone, to determine the extent of the protection conferred by the trade mark.

Directive 2008/95 must be interpreted as meaning that it does not preclude the use of the general indications of the class headings of the Classification referred to in Article 1 of the Nice Agreement Concerning the International Classification of Goods and Services for the Purposes of the Registration of Marks, concluded at the Nice Diplomatic Conference on 15 June 1957, last revised in Geneva on 13 May 1977 and amended on 28 September 1979, to identify the goods and services for which the protection of the trade mark is sought, provided that such identification is sufficiently clear and precise.

An applicant for a national trade mark who uses all the general indications of a particular class heading of the Classification referred to in Article 1 of the Nice Agreement to identify the goods or services for which the protection of the trade mark is sought must specify whether its application for registration is intended to cover all the goods or services included in the alphabetical list of that class or only some of those goods or services. If the application concerns only some of those goods or services, the applicant is required to specify which of the goods or services in that class are intended to be covered.

[1] OJ C 246, 11.9.2010.

Judgment of the Court (Second Chamber) of 21 June 2012 — BNP Paribas, Banca Nazionale del Lavoro SpA (BNL) v European Commission

(Case C-452/10 P) [1]

(Appeals — State aid — Scheme for the realignment of the value of assets for tax purposes — Banking sector — Taxation of capital gains — Substitute tax — Selectivity)

(2012/C 250/03)

Language of the case: Italian

Parties

Appellants: BNP Paribas, Banca Nazionale del Lavoro SpA (BNL) (represented by: R. Silvestri, G. Escalar and M. Todino, avvocati)