

Operative part of the judgment

The Court:

1. *Dismisses the action;*
2. *Orders Novartis Europharm Ltd to bear its own costs and to pay the costs incurred by the European Commission and by Hospira UK Ltd.*

⁽¹⁾ OJ C 101, 6.4.2013.

Judgment of the General Court of 15 September 2015 — Iralco v Council

(Case T-158/13) ⁽¹⁾

(Common foreign and security policy — Restrictive measures adopted against Iran with the aim of preventing nuclear proliferation — Freezing of funds — Error of assessment)

(2015/C 363/38)

Language of the case: English

Parties

Applicant: Iranian Aluminium Co. (Iralco) (Tehran, Iran) (represented by: S. Millar and S. Ashley, Solicitors, M. Lester and M. Happold, Barristers)

Defendant: Council of the European Union (represented by: M. Bishop and I. Rodios, acting as Agents)

Re:

Application for annulment of (i) Council Decision 2012/829/CFSP of 21 December 2012 amending Decision 2010/413/CFSP concerning restrictive measures against Iran (OJ 2012 L 356, p. 71) in so far as it listed the applicant in Annex II to Council Decision 2010/413/CFSP of 26 July 2010 concerning restrictive measures against Iran and repealing Common Position 2007/140/CFSP (OJ 2010 L 195, p. 39) and (ii) Council Implementing Regulation (EU) No 1264/2012 of 21 December 2012 implementing Regulation (EU) No 267/2012 concerning restrictive measures against Iran (OJ 2012 L 356, p. 55) in so far as it listed the applicant in Annex IX to Council Regulation (EU) No 267/2012 of 23 March 2012 concerning restrictive measures against Iran and repealing Regulation (EU) No 961/2010 (OJ 2012 L 88, p. 1).

Operative part of the judgment

The Court:

1. *Annuls Council Decision 2012/829/CFSP of 21 December 2012 amending Decision 2010/413/CFSP concerning restrictive measures against Iran in so far as it listed Iranian Aluminium Co. (Iralco) in Annex II to Council Decision 2010/413/CFSP of 26 July 2010 concerning restrictive measures against Iran and repealing Common Position 2007/140/CFSP;*

2. Annuls Council Implementing Regulation (EU) No 1264/2012 of 21 December 2012 implementing Regulation (EU) No 267/2012 concerning restrictive measures against Iran in so far as it listed Iralco in Annex IX to Council Regulation (EU) No 267/2012 of 23 March 2012 concerning restrictive measures against Iran and repealing Regulation (EU) No 961/2010;
3. Orders the effects of Decision 2012/829 to be maintained as regards Iralco until the entry into force of the order to annul Implementing Regulation No 1264/2012;
4. Orders the Council of the European Union to bear its own costs and to pay those incurred by Iralco.

⁽¹⁾ OJ C 147, 25.5.2013.

Judgment of the General Court of 18 September 2015 — Federación Nacional de Cafeteros de Colombia v OHIM — Hautrive (COLOMBIANO HOUSE)

(Case T-387/13) ⁽¹⁾

(Community trade mark — Opposition proceedings — Application for Community figurative mark COLOMBIANO HOUSE — Earlier protected geographical indication Café de Colombia — Articles 13 and 14 of Regulation (EC) No 510/2006 — Relative ground for refusal — Article 8(4) of Regulation (EC) No 207/2009)

(2015/C 363/39)

Language of the case: English

Parties

Applicant: Federación Nacional de Cafeteros de Colombia (Bogota, Colombia) (represented by: A. Pomares Caballero and M. Pomares Caballero, lawyers)

Defendant: Office for Harmonisation in the Internal Market (Trade Marks and Designs) (represented by: G. Bertoli and Ó. Mondéjar Ortuño, acting as Agents)

Other party to the proceedings before the Board of Appeal of OHIM, intervener before the General Court: Nadine Hélène Jeanne Hautrive (Chatou, France) (represented by: J. Beaumont, lawyer)

Re:

Action brought against the decision of the Fifth Board of Appeal of OHIM of 17 May 2013 (Case R 757/2012-5) relating to opposition proceedings between the Federación Nacional de Cafeteros de Colombia and Nadine Hélène Jeanne Hautrive.

Operative part of the judgment

The Court:

1. Annuls the decision of the Fifth Board of Appeal of the Office for Harmonisation in the Internal Market (Trade Marks and Designs) (OHIM) of 17 May 2013 (Case R 757/2012-5);