

Action brought on 24 June 2008 — Wrigley v OHIM — Mejerigaarden (POLAR ICE)**(Case T-256/08)**

(2008/C 209/116)

*Language in which the application was lodged: English***Parties**

Applicant: Wm. Wrigley Jr. Company (Chicago, United States) (represented by: M. Kinkeldey, S. Schäffler and A. Bognár, lawyers)

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

Other party to the proceedings before the Board of Appeal: Mejerigaarden Holding A/S (Thisted, Denmark)

Form of order sought

— Annul the decision of the Second Board of Appeal of the Office for Harmonisation in the Internal Market (Trade Marks and Designs) of 15 April 2008 in case R 845/2006-2; and

— Order the defendant to pay the costs.

Pleas in law and main arguments

Applicant for the Community trade mark: The applicant

Community trade mark concerned: The word mark 'POLAR ICE' for goods in classes 3, 5 and 30

Proprietor of the mark or sign cited in the opposition proceedings: The other party to the proceedings before the Board of Appeal

Mark or sign cited: Community trade mark registration No 1 273 564 of the figurative mark 'Polar is' for goods in class 30; Danish trade mark registration No VR 1971 03528 of the word mark 'POLAR IS' for goods in class 30; Danish trade mark registration No VR 1994 07979 of the word mark 'POLAR MAXI' for goods in class 30

Decision of the Opposition Division: Rejection of the Community trade mark application in its entirety

Decision of the Board of Appeal: Dismissal of the appeal

Pleas in law: Infringement of Article 8(1) of Council Regulation No 40/94 as the conflicting trade marks show relevant visual, phonetic and conceptual dissimilarities to avoid any likelihood of confusion.

Order of the Court of First Instance of 4 July 2008 — Grammatikopoulos v OHIM — National Academy of Recording Arts and Sciences (GRAMMY)**(Case T-20/06)** ⁽¹⁾

(2008/C 209/117)

Language of the case: English

The President of the Court of First Instance (Fifth Chamber) has ordered that the case be removed from the register.

_____ ⁽¹⁾ OJ C 131, 3.6.2006.

Order of the Court of First Instance of 2 July 2008 — UPS Europe and UPS Deutschland v Commission**(Case T-100/07)** ⁽¹⁾

(2008/C 209/118)

Language of the case: English

The President of the fifth chamber has ordered that the case be removed from the register.

_____ ⁽¹⁾ OJ C 129, 9.6.2007.

Order of the Court of First Instance (Fifth Chamber) of 19 June 2008 — Lodato Gennaro & C. v Commission**(Case T-417/07)** ⁽¹⁾

(2008/C 209/119)

Language of the case: Italian

The President of the Court of First Instance (Fifth Chamber) has ordered that the case be removed from the register.

_____ ⁽¹⁾ OJ C 8, 12.1.2008.