

Judgment of the Court of First Instance of 5 November 2008 — Calzaturificio Frau v OHIM — Camper (Representation of a stylised arch with the surface in solid colour)

(Case T-304/07) ⁽¹⁾

(Community trade mark — Opposition proceedings — Application for a Community figurative mark representing a stylised arch with the surface in solid colour — Earlier Community figurative mark representing a stylised arch — Relative ground for refusal — Likelihood of confusion — Article 8(1)(b) of Regulation (EC) No 40/94)

(2008/C 327/41)

Language of the case: Italian

Parties

Applicant: Calzaturificio SpA (San Giovanni Ilarione, Italy) (represented by: A. Rizzoli, lawyer)

Defendant: Office for Harmonisation in the Internal Market (Trade Marks and Designs) (represented by: O. Montalto and L. Rampini, acting as Agents)

Other party to the proceedings before the Board of Appeal of OHIM intervening before the Court of First Instance: Camper, SL (Inca, Spain) (represented by: I. Temiño Cenicerros, lawyer)

Re:

Action brought against the decision of the First Board of Appeal of OHIM of 14 June 2007 in Case R 768/2006-1 relating to opposition proceedings between Camper, SL and Calzaturificio Frau SpA

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders Calzaturificio Frau SpA to pay the costs.

⁽¹⁾ OJ C 235, 6.10.2007.

Judgment of the Court of First Instance of 11 November 2008 — Speiser v Parliament

(Case T-390/07 P) ⁽¹⁾

(Appeal — Staff case — Temporary staff — Admissibility — Expatriation allowance — Purely confirmatory decision — Complaint made out of time)

(2008/C 327/42)

Language of the case: German

Parties

Appellant: Michael Alexander Speiser (Neu-Isenburg, Germany) (represented by: F. Theumer, lawyer)

Other party to the proceedings: European Parliament (represented by: initially A. Lukošūūtė and N. Lorenz and subsequently A. Lukošūūtė and S. Seyr, acting as Agents)

Re:

Appeal against the order of the Civil Service Tribunal of the European Union (First Chamber) of 10 September 2007 in Case F-146/06 *Speiser v Parliament*, not yet published in the ECR, seeking to have that order set aside

Operative part of the judgment

The Court:

1. Dismisses the appeal;
2. Orders each party to bear the costs incurred in the appeal proceedings.

⁽¹⁾ OJ C 297, 8.12.2007.

Order of the Court of First Instance of 25 September 2008 — Regione Siciliana v Commission

(Case T-363/03) ⁽¹⁾

(Action for annulment — ERDF — Cancellation of a financial contribution — Recovery of the sums already paid — Regional or local entity — Lack of direct effect — Inadmissibility)

(2008/C 327/43)

Language of the case: Italian

Parties

Applicant: Regione Siciliana (Italy) (represented by: A. Cingolo, lawyer)