

**Judgment of the General Court of 1 July 2010 — BNP Paribas and BNL v European Commission**

(Case T-335/08) <sup>(1)</sup>

*(State aid — Measures taken by the Italian authorities concerning certain restructured banks — Scheme for the realignment of the value of assets for tax purposes — Decision classifying the aid scheme as incompatible with the common market and ordering recovery of the aid — Action for annulment — Individual concern — Admissibility — Concept of State aid — Advantage — Selective nature — Obligation to state reasons)*

(2010/C 221/62)

Language of the case: Italian

**Parties**

*Applicant:* BNP Paribas (Paris, France) and Banca Nazionale del Lavoro SpA (BNL) (Rome, Italy) (represented by: R. Silvestri, G. Escalar and M. Todino, lawyers)

*Defendant:* European Commission (represented by: V. Di Bucci and E. Righini, Agents)

**Re:**

Application for annulment of Commission Decision 2008/711/EC of 11 March 2008 on State aid C 15/07 (ex NN 20/07) implemented by Italy on the tax incentives in favour of certain restructured banks (OJ 2008 L 237, p. 70)

**Operative part of the judgment**

*The Court:*

1. Dismisses the action.
2. Orders BNP Paribas and Banca Nazionale del Lavoro SpA (BNL) to pay the costs.

<sup>(1)</sup> OJ C 272, 25.10.2008.

**Judgment of the General Court of 30 June 2010 — Matratzen Concord v OHIM — Barranco Schnitzler and Barranco Rodriguez (MATRATZEN CONCORD)**

(Case T-351/08) <sup>(1)</sup>

*(Community trade mark — Opposition proceedings — Application for Community figurative mark MATRATZEN CONCORD — Earlier national word mark MATRATZEN — Relative ground for refusal — Evidence of use of the earlier mark — Obligation to state the reasons on which a decision is based — Article 73 of Regulation (EC) No 40/94 (now Article 75 of Regulation (EC) No 207/2009))*

(2010/C 221/63)

Language of the case: German

**Parties**

*Applicant:* Matratzen Concord GmbH (Cologne, Germany) (represented by: J. Albrecht, lawyer)

*Defendant:* Office for Harmonisation in the Internal Market (Trade Marks and Designs) (OHIM) (represented by: G. Schneider, Agent)

*Other parties to the proceedings before the Board of Appeal of OHIM:* Pablo Barranco Schnitzler and Mariano Barranco Rodriguez (Sant Just Desvern, Spain)

**Re:**

Action brought against the decision of the Second Board of Appeal of OHIM of 30 May 2008 (Case R 1034/2007-2), relating to opposition proceedings between (i) Pablo Barranco Schnitzler and Mariano Barranco Rodriguez and (ii) Matratzen Concord GmbH.

**Operative part of the judgment**

*The Court:*

1. Annuls the decision of the Second Board of Appeal of the Office for Harmonisation in the Internal Market (Trade Marks and Designs) (OHIM) of 30 May 2008 (Case R 1034/2007-2);
2. Orders OHIM to pay the costs.

<sup>(1)</sup> OJ C 285, 8.11.2008.