

GENERAL COURT

Judgment of the General Court of 18 February 2011 — P.P.TV v OHIM — Rentrak (PPT)

(Case T-118/07) ⁽¹⁾

(Community trade mark — Opposition proceedings — Application for Community word mark PPT — Earlier national figurative mark PPTV — Relative ground for refusal — No likelihood of confusion — Article 8(1)(b) of Regulation (EC) No 40/94 (now Article 8(1)(b) of Regulation (EC) No 207/2009))

(2011/C 103/32)

Language of the case: English

Parties

Applicant: P.P.TV — Publicidade de Portugal e Televisão, SA (Lisbon, Portugal) (represented by: I. de Carvalho Simões and J.M. Conceição Pimenta, lawyers)

Defendant: Office for Harmonisation in the Internal Market (Trade Marks and Designs) (represented by: S. Laitinen and, subsequently, D. Botis, Agents)

Other party to the proceedings before the Board of Appeal of OHIM: Rentrak Corp. (Portland, Oregon, United States)

Re:

Action brought against the decision of the First Board of Appeal of OHIM of 17 January 2007 (Case R 1040/2005-1) concerning opposition proceedings between P.P.TV — Publicidade de Portugal e Televisão, SA and Rentrak Corp.

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders P.P.TV — Publicidade de Portugal e Televisão, SA, to pay the costs.

⁽¹⁾ OJ C 155, 7.7.2007.

Judgment of the Court of 17 February 2011 — FIFA v Commission

(Case T-385/07) ⁽¹⁾

(Television broadcasting — Article 3a of Directive 89/552/EEC — Measures taken by the Kingdom of Belgium concerning events of major importance for Belgian society — Football World Cup — Decision declaring the measures compatible with Community law — Statement of reasons — Articles 43 EC and 49 EC — Right to property)

(2011/C 103/33)

Language of the case: English

Parties

Applicant: Fédération Internationale de Football Association (FIFA) (Zurich, Switzerland) (represented initially by: R. Denton, E. Batchelor, F. Young, Solicitors, and A. Barav, lawyer, and subsequently by E. Batchelor, A. Barav, D. Reymond, lawyer, and F. Carlin, Barrister)

Defendant: European Commission (represented by: E. Montaguti and N. Yerrell, Agents, assisted by J. Flynn, QC, and L. Maya, Barrister)

Interveners in support of the defendant: Kingdom of Belgium (represented by: L. Van den Broeck and C. Pochet, Agents, assisted by J. Stuyck, A. Berenboom and A. Joachimowicz, lawyers); Federal Republic of Germany (represented by: M. Lumma and J. Möller, Agents); and United Kingdom of Great Britain and Northern Ireland (represented by: S. Behzadi-Spencer, E. Jenkinson and L. Seeboruth, Agents, assisted initially by T. de la Mare, and subsequently by B. Kennelly, Barristers)

Re:

Application for partial annulment of Commission Decision 2007/479/EC of 25 June 2007 on the compatibility with Community law of measures taken by Belgium pursuant to Article 3a(1) of Council Directive 89/552/EEC of 3 October 1989 on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the pursuit of television broadcasting activities (OJ 2007 L 180, p. 24).

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders the Fédération Internationale de Football Association (FIFA) to bear its own costs and to pay those incurred by the European Commission;