

Interveners in support of the applicant: Kingdom of Denmark (represented by: B. Weis Fogh and S. Juul Jørgensen, Agents); Republic of Finland (represented by: initially J. Heliskoski, H. Leppo and M. Pere, then J. Heliskoski and H. Leppo, Agents); and Kingdom of Sweden (represented by: A. Falk, K. Petkovska and S. Johannesson, Agents)

Intervener in support of the defendant: European Commission (represented by: J.-P. Keppenne and C. ten Dam, Agents)

Re:

Application for, first, annulment of the decision of the Board of Directors of the European Central Bank, notified to the applicant by letter of the President of the ECB of 2 September 2009, refusing to grant the applicant access to the databases used for the compilation of reports on its staff recruitment and mobility and, second, delivery up to the applicant of the databases in question, and, finally, a claim for damages for the loss allegedly suffered by the applicant as a result of the refusal of his application for access

Operative part of the judgment

The Court:

1. Annuls the decision of the Board of Directors of the European Central Bank (ECB) notified to Mr Julien Dufour by letter of the President of the ECB of 2 September 2009;
2. Dismisses the remainder of the action;
3. Orders the ECB to bear its own costs and to pay those incurred by Mr Dufour;
4. Orders the Kingdom of Denmark, the Republic of Finland and the Kingdom of Sweden to bear their own costs.

(¹) OJ C 11, 16.1.2010.

Judgment of the General Court of 26 October 2011 — Intermark v OHIM — Natex International (NATY'S)

(Case T-72/10) (¹)

(Community trade mark — Opposition proceedings — Application for Community word mark NATY'S — Earlier Community figurative mark Naty — Relative ground for refusal — Likelihood of confusion — Similarity of goods — Article 8(1)(b) of Regulation (EC) No 207/2009 — Partial rejection of opposition)

(2011/C 355/31)

Language of the case: Italian

Parties

Applicant: Intermark Srl (Steiu, Romania) (represented by: Á. László, lawyer)

Defendant: Office for Harmonisation in the Internal Market (Trade Marks and Designs) (represented by: G. Mannucci, agent)

Other party to the proceedings before the Board of Appeal of OHIM: Natex International Trade SpA (Piolto, Italy)

Re:

Action brought against the decision of the Second Board of Appeal of OHIM of 2 December 2009 (Case R 953/2009-2) relating to opposition proceedings between Intermark Srl and Natex International Trade SpA.

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders Intermark Srl to pay the costs.

(¹) OJ C 113, 1.5.2010.

Judgment of the General Court of 20 October 2011 — Scatizza v OHIM — Jacinto (Horse Couture)

(Case T-238/10) (¹)

(Community trade mark — Opposition proceedings — Application for registration of the Community figurative mark Horse Couture — Earlier national figurative mark HORSE — Relative ground for refusal — Likelihood of confusion — Similarity of the signs — Article 8(1)(b) of Regulation (EC) No 40/94 (now Article 8(1)(b) of Regulation (EC) No 207/2009)

(2011/C 355/32)

Language of the case: English

Parties

Applicant: Stephanie Scatizza (Breganzona, Switzerland) (represented by: P. Perani and P. Pozzi, lawyers)

Defendant: Office for Harmonisation in the Internal Market (Trade Marks and Designs) (represented by: S. Schäffner, Agent)

Other party to the proceedings before the Board of Appeal of OHIM: Manuel Jacinto, L^{da} (São Paio de Oleiros, Portugal)

Re:

Action brought against the decision of the Second Board of Appeal of OHIM of 5 March 2010 (Case R 723/2009-2) relating to opposition proceedings between Manuel Jacinto, L^{da} and Stephanie Scatizza.

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders Stephanie Scatizza to pay the costs.

(¹) OJ C 209, 31.7.2010.