

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

*Other party to the proceedings before the Board of Appeal of OHIM, intervener before the General Court:* Brauerei Schlösser GmbH (Düsseldorf, Germany) (represented by: J. Flick, lawyer)

#### Re:

Action brought against the decision of the Second Board of Appeal of OHIM of 25 January 2010 (case R 820/2009-2), relating to opposition proceedings between Brauerei Schlösser GmbH and Barilla G. e R. Fratelli SpA.

#### Operative part of the judgment

*The General Court:*

1. Dismisses the action;
2. Orders Barilla G. e R. Fratelli SpA to pay the costs.

<sup>(1)</sup> OJ C 148, 5.6.2010.

#### Judgment of the General Court of 27 March 2012 — Armani v OHIM — Del Prete (AJ AMICI JUNIOR)

(Case T-420/10) <sup>(1)</sup>

*(Community trade mark — Opposition proceedings — Application for the Community figurative mark AJ AMICI JUNIOR — Earlier national figurative mark AJ ARMANI JEANS — Earlier national word mark ARMANI JUNIOR — Relative ground for refusal — Article 8(1)(b) of Regulation (EC) No 207/2009)*

(2012/C 133/46)

*Language of the case: Italian*

#### Parties

*Applicant:* Giorgio Armani SpA (Milan, Italy) (represented by: M. Rapisardi, lawyer)

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

*Other party to the proceedings before the Board of Appeal of OHIM, intervener before the General Court:* Annunziata Del Prete (Naples, Italy) (represented by: R. Bocchini, lawyer)

#### Re:

Action brought against the decision of the Second Board of Appeal of OHIM of 8 July 2010 (Case R 1360/2009-2), relating to opposition proceeding between Giorgio Armani SpA and Ms Annunziata Del Prete

#### 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 8 July 2010 (Case R 1360/2009-2);
2. Orders OHIM and Ms Annunziata Del Prete to each pay half of the costs incurred by Giorgio Armani SpA before the Board of Appeal;
3. Orders OHIM and Ms Del Prete to bear their own costs and to each pay half of the costs incurred by Giorgio Armani before the Court.

<sup>(1)</sup> OJ C 301, 6.11.2010.

#### Judgment of the General Court of 21 March 2012 — Fulmen and Mahmoudian v Council

(Joined Cases T-439/10 and T-440/10) <sup>(1)</sup>

*(Common foreign and security policy — Restrictive measures against Iran with the aim of preventing nuclear proliferation — Freezing of funds — Actions for annulment — Obligation to state reasons — Rights of the defence — Right to effective judicial protection — Error of assessment — Burden and standard of proof)*

(2012/C 133/47)

*Language of the case: French*

#### Parties

*Applicants:* Fulmen (Teheran, Iran) and Fereydoun Mahmoudian (Teheran) (represented by: A. Kronshagen, lawyer)

*Defendant:* Council of the European Union (represented by: M. Bishop and R. Liudvinaviciute-Cordeiro, acting as Agents)

*Intervener in support of the defendant:* European Commission (represented by: M. Konstantinidis and É. Cujo, acting as Agents)

#### Re:

Application for annulment of Council Decision 2010/413/CFSP of 26 July 2010 concerning restrictive measures against Iran and repealing Common Position 2007/140/CFSP (OJ 2010 L 195, p. 39), Council Implementing Regulation (EU) No 668/2010 of 26 July 2010 implementing Article 7(2) of Regulation (EC) No 423/2007 concerning restrictive measures against Iran (OJ 2010 L 195, p. 25), and Council Decision 2010/644/CFSP of 25 October 2010 amending Decision 2010/413 (OJ 2010 L 281, p. 81), and Council Regulation (EU) No 961/2010 of 25 October 2010 on restrictive measures against Iran and repealing Regulation (EC) No 423/2007 (OJ 2010 L 281, p. 1), in so far as those measures concern the applicants, and, further, an application for recognition of the damage suffered by the applicants due to the adoption of the abovementioned measures.