

Defendant: Council of the European Union (represented by: B. Driessen, Agent, G. Berrisch, lawyer, and N. Chesaites, Barrister)

Intervener in support of the defendant: European Commission (represented by: H. van Vliet, M. França and G. Luengo, Agents)

Re:

Application for annulment of Council Implementing Regulation (EU) No 857/2010 of 27 September 2010 imposing a definitive countervailing duty and collecting definitely the provisional duty imposed on imports of certain polyethylene terephthalate originating in Iran, Pakistan and the United Arab Emirates (OJ 2010 L 254, p. 10).

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders JBF RAK LLC to bear its own costs and to pay those incurred by the Council of the European Union;
3. Orders the European Commission to bear its own costs.

⁽¹⁾ OJ C 30, 29.1.2011.

Judgment of the General Court of 22 May 2012 — Environmental Manufacturing v OHIM — Wolf (Representation of the head of a wolf)

(Case T-570/10) ⁽¹⁾

(Community trade mark — Opposition proceedings — Application for a Community figurative mark representing a wolf's head — Earlier national and international figurative marks WOLF Jardin and Outils WOLF — Relative grounds for refusal — Detriment to the distinctive character or repute of the earlier mark — Article 8(5) of Regulation (EC) No 207/2009)

(2012/C 200/27)

Language of the case: English

Parties

Applicant: Environmental Manufacturing LLP (Stowmarket, United Kingdom) (represented by: S. Malynicz, Barrister, and M. Atkins, Solicitor)

Defendant: Office for Harmonisation in the Internal Market (Trade Marks and Designs) (represented by: A. Folliard-Monguiral, acting as Agent)

Other party to the proceedings before the Board of Appeal of OHIM, intervener before the General Court: Société Elmar Wolf (Wissembourg, France) (represented by: N. Boespflug, lawyer)

Re:

Action brought against the decision of the Second Board of Appeal of OHIM of 6 October 2010 (Case R 425/2010-2), concerning opposition proceedings between Société Elmar Wolf and Environmental Manufacturing LLP.

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders Environmental Manufacturing LLP to pay the costs.

⁽¹⁾ OJ C 63, 26.2.2011.

Judgment of the General Court of 22 May 2012 — Aitic Penteo v OHIM — Atos Worldline (PENTEO)

(Case T-585/10) ⁽¹⁾

(Community trade mark — Opposition proceedings — Application for Community word mark PENTEO — Earlier Benelux and international word marks XENTEO — Relative ground for refusal — Likelihood of confusion — Article 8(1)(b) of Regulation (EC) No 207/2009 — Articles 75 and 76 of Regulation No 207/2009)

(2012/C 200/28)

Language of the case: English

Parties

Applicant: Aitic Penteo, SA (Barcelona, Spain) (represented by: J. Carbonell Callicó, lawyer)

Defendant: Office for Harmonisation in the Internal Market (Trade Marks and Designs) (represented by: A. Folliard-Monguiral, Agent)

Other party to the proceedings before the Board of Appeal of OHIM: Atos Worldline SA (Brussels, Belgium)

Re:

ACTION brought against the decision of the First Chamber of Appeal of OHIM of 23 September 2010 (Case R 774/2010-1) relating to opposition proceedings between Atos Worldline SA and Aitic Penteo, SA.