

**Operative part of the judgment**

1. *The action is dismissed.*
2. *Lancôme parfums et beauté & Cie is ordered to pay the costs.*

(<sup>1</sup>) OJ C 179, 3.7.2010.

**Judgment of the General Court of 11 October 2012 — Novatex v Council**

(Case T-556/10) (<sup>1</sup>)

*(Subsidies — Imports of certain types of polyethylene terephthalate originating in Iran, Pakistan and the United Arab Emirates — Definitive countervailing duty and definitive collection of provisional duty — Article 3(1) and (2), Article 6(b), and Article 7(2) of Regulation (EC) No 597/2009)*

(2012/C 366/61)

Language of the case: English

**Parties**

*Applicant:* Novatex Ltd (Karachi, Pakistan) (represented by: B. Servais, lawyer)

*Defendant:* Council of the European Union (represented by: B. Driessen, Agent, assisted by 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, acting as Agents)

**Re:**

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

**Operative part of the judgment**

*The Court:*

1. *Annuls Article 1 of Council Implementing Regulation (EU) No 857/2010 of 27 September 2010 imposing a definitive countervailing duty and collecting definitively the provisional duty imposed on imports of certain types of polyethylene terephthalate originating in Iran, Pakistan and the United Arab Emirates in so far as it concerns Novatex Ltd, in so far as the definitive countervailing duty for imports of certain types of polyethylene terephthalate into the European Union exceeds that applicable in the absence of the error concerning the amount indicated in line 74 of the 2008 tax return.*
2. *Dismisses the action as to the remainder.*
3. *Orders the Council of the European Union to pay its own costs and 50 % of those incurred by Novatex. Novatex is ordered to bear 50 % of its own costs. The European Commission is ordered to bear its own costs.*

(<sup>1</sup>) OJ C 30, 29.1.2011.

**Judgment of the General Court of 10 October 2012 — Bimbo v OHIM — Panrico (BIMBO DOUGHNUTS)**

(Case T-569/10) (<sup>1</sup>)

*(Community trade mark — Opposition proceedings — Application for Community word mark BIMBO DOUGHNUTS — Earlier national word mark DOUGHNUTS — Relative ground for refusal — Article 75 of Regulation (EC) No 207/2009 — Article 76(2) of Regulation No 207/2009 — Article 8(1)(b) of Regulation No 207/2009 — Application for alteration — Admissibility)*

(2012/C 366/62)

Language of the case: English

**Parties**

*Applicant:* Bimbo 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, acting as Agent)

*Other party to the proceedings before the Board of Appeal of OHIM, intervener before the General Court:* Panrico SA (Barcelona, Spain) (represented by D. Pellisé Urquiza, lawyer)

**Re:**

ACTION brought against the decision of the Fourth Board of Appeal of OHIM of 7 October 2010 (Case R 838/2009-4) concerning opposition proceedings between Panrico SA and Bimbo SA.

**Operative part of the judgment**

*The Court:*

1. *Dismisses the action;*
2. *Orders Bimbo SA to pay, in addition to its own costs, those incurred by OHIM;*
3. *Orders Panrico SA to bear its own costs.*

(<sup>1</sup>) OJ C 46, 12.2.2011.

**Judgment of the General Court of 10 October 2012 — Wessang v OHIM — Greinwald (star foods)**

(Case T-333/11) (<sup>1</sup>)

*(Community trade mark — Opposition proceedings — Application for Community figurative mark star foods — Earlier Community word and figurative marks STAR SNACKS — Relative ground for refusal — Likelihood of confusion — Article 8(1)(b) of Regulation (EC) No 207/2009)*

(2012/C 366/63)

Language of the case: German

**Parties**

*Applicant:* Nicolas Wessang (Zimmerbach, France) (represented by: A. Grolée, lawyer)