

- In this context, the applicant claims that the Commission gave too broad an interpretation to the exceptions under Article 4 of Regulation (EC) No 1049/2001 also in relation to the application for access to the unredacted version of the contents page. The applicant takes the view that, also in this regard, commercial interests — the first indent of Article 4(2) of Regulation (EC) No 1049/2001 — and the protection of investigations — the third indent of Article 4(2) of Regulation (EC) No 1049/2001 — could not be undermined.
- In addition, it submits that the privacy of the individual under Article 4(1)(b) of Regulation (EC) No 1049/2001 would not be undermined.

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(<sup>1</sup>) Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents (OJ 2001 L 145, p. 43).

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**Action brought on 8 December 2012 — Still v OHIM  
(Fleet Data Services)**

**(Case T-534/12)**

(2013/C 32/39)

*Language of the case: German*

**Parties**

*Applicant:* Still GmbH (Hamburg, Germany) (represented by S. Waller, lawyer)

*Defendant:* Office for Harmonisation in the Internal Market (Trade Marks and Designs)

**Form of order sought**

The applicant claims that the Court should:

- Annul the decision of the First Board of Appeal of the Office for Harmonisation in the Internal Market (Trade Marks and Designs) of 10 September 2012 in Case R 130/2012-1;
- Order the defendant to pay the costs;
- Join the case under Article 50(1) of the Rules of Procedure of the General Court with the action brought in parallel against the decision of the First Board of Appeal of the Office for Harmonisation in the Internal Market (Trade Marks and Designs) in Case R 4/2012-1, also of 10 September 2012, regarding the Community trade mark application ‘Truck Data Services’, application No 009931429.

**Pleas in law and main arguments**

*Community trade mark concerned:* the figurative mark including the word elements ‘Fleet Data Services’ for goods and services in Classes 9, 12, 35, 36, 37 and 39 — Community trade mark application No 9 931 387

*Decision of the Examiner:* the application was rejected

*Decision of the Board of Appeal:* the appeal was dismissed

*Pleas in law:*

- Infringement of Article 7(1)(c) of Regulation No 207/2009
- Infringement of Article 7(1)(b) of Regulation No 207/2009
- Infringement of the second sentence of Article [75] of Regulation No 207/2009

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**Action brought on 8 December 2012 — Still v OHIM  
(Truck Data Services)**

**(Case T-535/12)**

(2013/C 32/40)

*Language of the case: German*

**Parties**

*Applicant:* Still GmbH (Hamburg, Germany) (represented by S. Waller, lawyer)

*Defendant:* Office for Harmonisation in the Internal Market (Trade Marks and Designs)

**Form of order sought**

The applicant claims that the Court should:

- Annul the decision of the First Board of Appeal of the Office for Harmonisation in the Internal Market (Trade Marks and Designs) of 10 September 2012 in Case R 4/2012-1;
- Order the defendant to pay the costs;
- Join the case under Article 50(1) of the Rules of Procedure of the General Court with the action brought in parallel against the decision of the First Board of Appeal of the Office for Harmonisation in the Internal Market (Trade Marks and Designs) in Case R 130/2012-1, also of 10 September 2012, regarding the Community trade mark application ‘Fleet Data Services’, application No 009931387.