

**Re:**

Application for the annulment of the Commission's decision of 10 February 2010 rejecting a complaint lodged by the applicant concerning the alleged unlawful State aid granted by the Italian Republic to CAV.

**Operative part of the judgment**

The Court:

1. Dismisses the action.
2. Orders *Associazione italiana delle società concessionarie per la costruzione e l'esercizio di autostrade e trafori stradali (Aiscat)* to bear half of its own costs and to pay half of the costs incurred by the European Commission and all of the costs incurred by *Concessioni autostradali Venete — CAV SpA*.
3. Orders the Commission to bear half of its own costs and to pay half of the costs incurred by *Aiscat*.

<sup>(1)</sup> OJ C 161, 19.6.2010.

**Judgment of the General Court of 15 January 2013 — Spain v Commission**

(Case T-54/11) <sup>(1)</sup>

**(ERDF — Reduction of financial assistance — Aid for the operational programme falling within Objective 1 (2000-2006) concerning the region of Andalucía (Spain) — Article 39(3)(b) of Regulation (EC) No 1260/1999 — Three-month period — Directive 93/36/EEC — Negotiated procedure without prior publication of a tender notice)**

(2013/C 55/15)

Language of the case: Spanish

**Parties**

**Applicant:** Kingdom of Spain (represented initially by: M. Muñoz Pérez, subsequently by S. Martínez-Lage Sobredo, and finally by A. Rubio González and N. Díaz Abad, lawyers)

**Defendant:** European Commission (represented by: A. Steiblyté and J. Baquero Cruz, Agents)

**Re:**

Application for annulment of Commission Decision C(2010) 7700 final of 16 November 2010 reducing the assistance from the European Regional Development Fund (ERDF) to the Objective 1 integrated operational programme for Andalucía (2000-2006), in so far as it imposes a financial correction of 100 % on the ERDF-financed expenditure for contracts no 2075/2003 and no 2120/2005.

**Operative part of the judgment**

The Court:

1. Dismisses the action;
2. Orders the Kingdom of Spain to pay the costs.

<sup>(1)</sup> OJ C 80, 12.3.2011.

**Judgment of the General Court of 15 January 2013 — Lidl Stiftung v OHIM — Lactimilk (BELLRAM)**

(Case T-237/11) <sup>(1)</sup>

**(Community trade mark — Opposition proceedings — Application for the Community word mark BELLRAM — Earlier national word and figurative marks RAM and Ram — Relative ground for refusal — Likelihood of confusion — Article 8(1)(b) of Regulation (EC) No 207/2009 — Right to be heard — Articles 63(2), 75 and 76 of Regulation No 207/2009 — Opposition period)**

(2013/C 55/16)

Language of the case: English

**Parties**

**Applicant:** Lidl Stiftung & Co. KG (Neckarsulm, Germany) (represented by: T. Träger, lawyer)

**Defendant:** Office for Harmonisation in the Internal Market (Trade Marks and Designs) (represented by: K. Klüpfel and D. Walicka, Agents)

**Other party to the proceedings before the Board of Appeal of OHIM, intervener before the General Court:** Lactimilk, SA (Madrid, Spain) (represented by: P. Casamitjana Lleonart, lawyer)

**Re:**

Action brought against the decision of the Fourth Board of Appeal of OHIM of 1 March 2011 (Case R 1154/2009-4), concerning opposition proceedings between Lactimilk, SA and Lidl Stiftung & Co. KG.

**Operative part of the judgment**

The Court:

1. Dismisses the action;
2. Orders Lidl Stiftung & Co. KG to pay the costs.

<sup>(1)</sup> OJ C 204, 9.7.2011.