

**Judgment of the General Court of 29 January 2013 — Müller v OHIM — Loncar (Sunless)**(Case T-662/11) <sup>(1)</sup>

*(Community trade mark — Opposition proceedings — Application for the Community figurative mark Sunless — Earlier Community word marks SUNLESS and LONCAR-SUNLESS — Relative ground for refusal — Likelihood of confusion — Similarity of the signs — Article 8(1)(b) of Regulation (EC) No 207/2009)*

(2013/C 71/27)

Language of the case: German

**Parties**

*Applicant:* Thomas Müller (Gütersloh, Germany) (represented by: J. Schmidt, lawyer)

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

*Other party to the proceedings before the Board of Appeal of OHIM:* Loncar, SL (Sabadell, Spain)

**Re:**

Action brought against the decision of the Second Board of Appeal of OHIM of 27 September 2011 (Case R 2508/2010-2), relating to opposition proceedings between Loncar, SL and Mr Thomas Müller

**Operative part of the judgment**

*The Court:*

1. Dismisses the action;
2. Orders Thomas Müller to pay the costs.

<sup>(1)</sup> OJ C 49, 18.2.2012.

**Order of the General Court of 22 January 2013 — Cooperativa Mare Azzurro and Others v Commission**(Case T-218/00) <sup>(1)</sup>

*(Action for annulment — State aid — Relief from social security contributions for firms in Venice and Chioggia — Decision declaring the aid scheme to be incompatible with the common market and requiring the recovery of aid paid — Action in part manifestly inadmissible and in part manifestly lacking any foundation in law)*

(2013/C 71/28)

Language of the case: Italian

**Parties**

*Applicants:* Cooperativa Mare Azzurro Soc. coop. rl (Chioggia, Italy); Cooperativa vongolari Sottomarina Lido Soc. coop. rl (Chioggia) (represented initially by: G. Boscolo, and subsequently by A. Boscolo, lawyers); and Ghezzi Giovanni & C. Snc di Ghezzi Maurizio & C. (Venice, Italy) (represented by: R. Volpe and C. Montagner, lawyers)

*Defendant:* European Commission (represented by: V. Di Bucci, Agent, assisted by A. Dal Ferro, lawyer)

**Re:**

Application for annulment of Commission Decision 2000/394/EC of 25 November 1999 on aid to firms in Venice and Chioggia by way of relief from social security contributions under Laws Nos 30/1997 and 206/1995 (OJ 2000 L 150, p. 50).

**Operative part of the order**

1. The objection of inadmissibility raised by the European Commission is joined to the substance;
2. The action is dismissed as being, in part, manifestly inadmissible and, in part, manifestly lacking any foundation in law;
3. Cooperativa Mare Azzurro Soc. coop. rl, Cooperativa vongolari Sottomarina Lido Soc. coop. rl and Ghezzi Giovanni & C. Snc di Ghezzi Maurizio & C. are to bear the Commission's costs in addition to their own costs.

<sup>(1)</sup> OJ C 302, 21.10.2000.