

Operative part of the judgment

The Court:

1. Annuls the decision of the First Board of Appeal of the Office for Harmonisation in the Internal Market (Trade Marks and Designs) (OHIM) of 28 February 2011 (Case R 861/2009-1) in so far as concerns dietetic substances adapted for medical use, in Class 5;
2. Dismisses the action as to the remainder;
3. Orders Laboratoire Bioderma to bear its own costs and half of those incurred by OHIM and Cabinet Continental;
4. Orders OHIM and Cabinet Continental to bear half of their own costs.

⁽¹⁾ OJ C 298, 8.10.2011.

**Judgment of the General Court of 20 February 2013 —
Caventa v OHIM — Anson's Herrenhaus (B BERG)**

(Case T-631/11) ⁽¹⁾

(Community trade mark — Opposition proceedings — Application for the Community figurative mark B BERG — Earlier Community word mark Christian Berg — Relative ground for refusal — Likelihood of confusion — Article 8(1)(b) of Regulation (EC) No 207/2009)

(2013/C 108/63)

Language of the case: German

Parties

Applicant: Caventa AG (Rekingen, Switzerland) (represented initially by: J. Krenzler, then by T. Stein and A. Segler, lawyers)

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

Other party to the proceedings before the Board of Appeal of OHIM, intervener before the General Court: Anson's Herrenhaus KG (Düsseldorf, Germany) (represented by: O. Löffel and P. Lange, lawyers)

Re:

Action brought against the decision of the First Board of Appeal of OHIM of 15 September 2011 (Case R 2014/2010-1), relating to opposition proceedings between Anson's Herrenhaus KG and Caventa AG.

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders Caventa AG to pay the costs.

⁽¹⁾ OJ C 32, 4.2.2012.

**Order of the General Court of 20 February 2013 —
Albergo Quattro Fontane and Others v Commission**

**(Joined Cases T-278/00 to T-280/00, T-282/00 to T-286/00
and T-288/00 to T-295/00) ⁽¹⁾**

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

(2013/C 108/64)

Language of the case: Italian

Parties

Applicants: Albergo Quattro Fontane Snc (Venezia Lido, Italy) (Case T-278/00); Comitato 'Venezia vuole vivere' (Marghera, Italy) (Cases T-278/00 to T-280/00, T-282/00 to T-286/00 and T-289/00 to T-295/00); Hotel Gabrielli Sandwirth SpA (Venice, Italy) (Case T-279/00); Astrocoop — Universale — Pulizie, manutenzioni e trasporti Soc. coop. rl (Marghera) (Case T-280/00); GE.AL.VE. Srl (Venice) (Case T-282/00); Metropolitan Srl (Venice) (Case T-283/00); Hotel Concordia Snc (Venice) (Case T-284/00); Manutencoop Soc. coop. rl (Bologna, Italy) (Case T-285/00); Società per l'industria alberghiera (SPLIA) (Venice) (Case T-286/00); Principessa Srl (Venice) (Case T-288/00); Albergo ristorante 'All'Angelo' Snc (Venice) (Case T-289/00); Albergo Saturnia Internazionale SpA (Venice) (Case T-290/00); Savoia e Jolanda Srl (Venice) (Case T-291/00); Hotels Biasutti Snc (Venezia Lido) (Case T-292/00); Ge.A.P. Srl (Venice) (Case T-293/00); Rialto Inn Srl (Venice) (Case T-294/00); and Bonvecchiati Srl (Venice) (represented by: A. Bianchini) (Case T-295/00)

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

Re:

Application for the 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).