

4. Fourth plea in law, alleging misapplication of the 'privacy and integrity of the individuals' exception provided for in Article 4(1)(b) of Eurojust's rules regarding access to documents

Eurojust has neither asserted nor established that the documents requested contain third parties' personal data. Furthermore, the mere fact that a document contains personal data does not necessarily mean that the privacy or integrity of an individual is affected. Any statements that may have been made by officials that were not made in a personal capacity cannot justify the withholding of the information requested.

In so far as the integrity and privacy of individuals are at issue, Eurojust ought to have considered whether and how the documents requested could have been supplied — if necessary in anonymised form or in part only. Eurojust also failed, erroneously, to do so.

5. Fifth plea in law, alleging misapplication of the 'fulfilment of the applicable rules on professional secrecy' exception provided for in Article 4(1)(a) of Eurojust's rules regarding access to documents

Reliance on that exception is not justified. The applicants are unable to establish which confidentiality rules are supposed to be applicable here, and they doubt that confidentiality rules apply that would preclude provision of the documents requested.

Action brought on 3 April 2013 — dm-drogerie markt/OHIM — V-Contact (CAMEA)

(Case T-195/13)

(2013/C 171/58)

Language in which the application was lodged: English

Parties

Applicant: dm-drogerie markt GmbH & Co. KG (Karlsruhe, Germany) (represented by: B. Beinert and O. Bludovsky, lawyers)

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

Other party to the proceedings before the Board of Appeal: V-Contact Kft (Szada, Hungary)

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 17 January 2013 (Appeal relating to Opposition Proceedings No R 452/2012-1) and, by way of correction, delete the applicant's trademark;

- Alternatively annul the decision of the First Board of Appeal of the Office for Harmonisation in the Internal Market (Trade Marks and Designs) of 17 January 2013 (Appeal relating to Opposition Proceedings No R 452/2012-1) and, remit the case to the Office for Harmonisation;

- Alternatively annul the decision of the First Board of Appeal of the Office for Harmonisation in the Internal Market (Trade Marks and Designs) of 17 January 2013 (Appeal relating to Opposition Proceedings No R 452/2012-1).

Pleas in law and main arguments

Applicant for a Community trade mark: The other party to the proceedings before the Board of Appeal

Community trade mark concerned: The word mark 'CAMEA' for, *inter alia*, goods in classes 3, 5 and 16 — Community trade mark application No 9 279 928

Proprietor of the mark or sign cited in the opposition proceedings: The applicant

Mark or sign cited in opposition: International registration designating, *inter alia*, the European Union and covering goods in classes 3, 5 and 8

Decision of the Opposition Division: Rejected the opposition

Decision of the Board of Appeal: Dismissed the appeal

Pleas in law: Infringement of Articles 8(1)(b) of Council Regulation No 207/2009.

Action brought on 5 April 2013 — Nanu-Nana Joachim Hoepf/OHIM — Stal-Florez Botero (la nana)

(Case T-196/13)

(2013/C 171/59)

Language in which the application was lodged: English

Parties

Applicant: Nanu-Nana Joachim Hoepf GmbH & Co. KG (Bremen, Germany) (represented by: T. Boddien, lawyer)

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

Other party to the proceedings before the Board of Appeal: Lina M. Stal-Florez Botero (Maarsse, Netherlands)