

3. Orders the parties to bear their own costs.

(<sup>1</sup>) OJ C 89, 19.3.2011.

**Judgment of the General Court of 5 June 2013 —  
Recombined Dairy System v Commission**

(Case T-65/11) (<sup>1</sup>)

**(Customs union — Import of lactoglobulin concentrates from  
New Zealand — Post-clearance recovery of import duties —  
Request for remission of import duties — Article 220(2)(b)  
and Article 236 of Regulation (EEC) No 2913/92)**

(2013/C 225/145)

Language of the case: Danish

**Parties**

**Applicant:** Recombined Dairy System A/S (Horsens, Denmark)  
(represented by: T. Kristjánsson and T. Gønge, lawyers)

**Defendant:** European Commission (represented by: A.-M.  
Caeiros, L. Keppenne and B.-R. Killmann, acting as Agents,  
and P. Dyrberg, lawyer)

**Re:**

Application for partial annulment of Commission Decision  
C(2010) 7692 final of 12 November 2010, stating that the  
post-clearance entry in the accounts of certain import duties  
was justified and that the remission of such duties was not  
justified (File REC 03/08)

**Operative part of the judgment**

The Court:

1. Annuls Article 1(2) and (4) of Commission Decision C(2010)  
7692 final of 12 November 2010 stating that the post-clearance  
entry in the accounts of certain import duties was justified and  
that the remission of such duties was not justified (file REC  
03/08) as far as it concerns the imports of lactoglobulin concen-  
trates 131 and 8471;
2. Orders the European Commission to pay its own costs and those  
incurred by Recombined Dairy System A/S.

(<sup>1</sup>) OJ C 103, 2.4.2011.

**Judgment of the General Court of 6 June 2013 —  
Kastenholz v OHIM — Qwatchme (Watch dials)**

(Case T-68/11) (<sup>1</sup>)

**(Community design — Invalidity proceedings — Community  
design representing watch dials — Earlier unregistered  
designs — Ground for invalidity — Novelty — Articles 4,  
5 and 25(1)(b) of Regulation (EC) No 6/2002 — Individual  
character — Different overall impression — Articles 4, 6  
and 25(1)(b) of Regulation No 6/2002 — Earlier copyright —  
Article 25(1)(f) of Regulation No 6/2002)**

(2013/C 225/146)

Language of the case: German

**Parties**

**Applicant:** Erich Kastenholz (Troisdorf, Germany) (represented  
by: L. Acker, lawyer)

**Defendant:** Office for Harmonisation in the Internal Market  
(Trade Marks and Designs) (represented: initially by S. Hanne,  
and subsequently by D. Walicka, acting as Agents)

**Other party to the proceedings before the Board of Appeal of OHIM,  
intervener before the General Court:** Qwatchme A/S (Løsning,  
Denmark) (represented by: M. Zöbisch, lawyer)

**Re:**

Action brought against the decision of the Third Board of  
Appeal of OHIM of 2 November 2010 (Case R 1086/2009-3)  
concerning invalidity proceedings between Erich Kastenholz and  
Qwatchme A/S.

**Operative part of the judgment**

The Court:

1. Dismisses the action.
2. Orders Mr Erich Kastenholz to pay the costs.

(<sup>1</sup>) OJ C 113, 9.4.2011.

**Judgment of the General Court of 30 May 2013 — Omnis  
Group v Commission**

(Case T-74/11) (<sup>1</sup>)

**(Competition — Abuse of dominant position — Market for  
the provision of Enterprise Resource Planning software (ERP)  
and Enterprise Application Software (EAS) — Decision  
rejecting a complaint — No European Union interest)**

(2013/C 225/147)

Language of the case: Romanian

**Parties**

**Applicant:** Omnis Group Srl (Bucharest, Romania) (represented  
by: D.-A.-F. Tarara, lawyer)