

**Operative part of the judgment**

The Court:

1. Dismisses the action;
2. Orders Philips Lighting Poland S.A. and Philips Lighting BV to bear their own costs, to pay the costs of the Council of the European Union, with the exception of those incurred by it in connection with the interventions of Hangzhou Duralamp Electronics Co., Ltd and GE Hungary Ipari és Kereskedelmi Zrt (GE Hungary Zrt), and to pay the costs of Osram GmbH;
3. Orders the European Commission to bear its own costs;
4. Orders Hangzhou Duralamp Electronics and GE Hungary to bear their own costs and to pay those incurred by the Council in connection with their interventions.

<sup>(1)</sup> OJ C 51, 23.2.2008.

**Judgment of the General Court of 11 July 2013 — Spain v Commission**

(Case T-358/08) <sup>(1)</sup>

*(Cohesion Fund — Regulation (EC) No 1164/94 — Project for the drainage of Saragossa — Partial cancellation of financial assistance — Public procurement — Concept of work — Article 14(10) and (13) of Directive 93/38/EEC — Splitting of contracts — Legitimate expectations — Obligation to state reasons — Time-limit for the adoption of a decision — Determination of financial corrections — Article H(2) of Annex II to Regulation No 1164/94 — Proportionality — Limitation)*

(2013/C 252/45)

Language of the case: Spanish

**Parties**

**Applicant:** Kingdom of Spain (represented by: initially J. Rodríguez Cárcamo and subsequently A. Rubio González, lawyers)

**Defendant:** European Commission (represented by: G. Valero Jordana and A. Steiblyté, acting as Agents)

**Re:**

Application for annulment of Commission Decision C(2008) 3249 of 25 June 2008 concerning the reduction of the assistance granted under the Cohesion Fund to the Kingdom of Spain in respect of Project No 96/11/61/018 — ‘Saneamiento de Zaragoza’ by Commission Decision C(96) 2095 of 26 July 1996

**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 272, 25.10.2008.

**Judgment of the General Court of 11 July 2013 — SA.PAR. v OHIM — Salini Costruttori (GRUPPO SALINI)**

(Case T-321/10) <sup>(1)</sup>

*(Community trade mark — Invalidity proceedings — Community word mark GRUPPO SALINI — Bad faith — Article 52(1)(b) of Regulation (EC) No 207/2009)*

(2013/C 252/46)

Language of the case: Italian

**Parties**

**Applicant:** SA.PAR. Srl (Rome, Italy) (represented by: A. Masetti Zannini de Concina, M. Bussoletti and G. Petrocchi, lawyers)

**Defendant:** Office for Harmonisation in the Internal Market (Trade Marks and Designs) (represented by: G. Mannucci and P. Bullock, acting as Agents)

**Other party to the proceedings before the Board of Appeal of OHIM, intervener before the General Court:** Salini Costruttori SpA (Rome, Italy) (represented by: C. Bellomunno and S. Troilo, lawyers)

**Re:**

Action brought against the decision of the First Board of Appeal of OHIM of 21 April 2010 (Case R 219/2009-1), relating to invalidity proceedings between Salini Costruttori SpA and SA.PAR. Srl

**Operative part of the judgment**

The Court:

1. Dismisses the action;
2. Orders SA.PAR. Srl to pay the costs.

<sup>(1)</sup> OJ C 260, 25.9.2010.

**Judgment of the General Court of 11 July 2013 — Aventis Pharmaceuticals, Inc. v OHIM — Fasel (CULTRA)**

(Case T-142/12) <sup>(1)</sup>

*(Community trade mark — Opposition proceedings — Application for Community figurative trade mark CULTRA — Earlier national word marks SCULPTRA — Relative ground for refusal — Likelihood of confusion — Article 8(1)(b) of Regulation (EC) No 207/2009)*

(2013/C 252/47)

Language of the case: English

**Parties**

**Applicant:** Aventis Pharmaceuticals, Inc. (Bridgewater, United States) (represented by: R. Gilbey, lawyer)