

Re:

Appeal brought against the order of the European Union Civil Service Tribunal (Second Chamber) of 20 June 2011 in Case F-67/10 *Marcuccio v Commission* ECR-SC I-A-0000 and II-0000, seeking to have that order set aside.

Operative part of the order

1. *The appeal is dismissed.*
2. *Mr Luigi Marcuccio shall bear his own costs and pay those incurred by the European Commission.*

(¹) OJ C 311, 22.10.2011.

**Order of the General Court of 11 September 2013 —
Melkveebedrijf Overenk and Others v Commission**

(Case T-540/11) (¹)

(Action for damages — Levy in the milk and milk products sector — Regulation (EC) No 1468/2006 — Manifest inadmissibility)

(2013/C 336/47)

Language of the case: Dutch

Parties

Applicants: Melkveebedrijf Overenk BV (Sint Anthonis, Netherlands); Maatschap Veehouderij Kwakernaak (Oosterwolde, Netherlands); Mulders Agro vof (Heerle, Netherlands); Melkveebedrijf Engelen vof (Grashoek, Netherlands); Melkveebedrijf De Peel BV (Heusden, Netherlands); and Mathijs Moonen (Nederweert, Netherlands) (represented by P. Mazel and A. van Beelen, lawyers)

Defendants: European Commission (represented by Z. Malušková and B. Burggraaf, acting as Agents)

Re:

Claim for damages for the loss allegedly caused to the applicants by Commission Regulation (EC) No 1468/2006 of 4 October 2006 amending Regulation (EC) No 595/2004 laying down detailed rules for applying Council Regulation (EC) No 1788/2003 establishing a levy in the milk and milk products sector (JO 2006 L 274, p. 6).

Operative part of the order

1. *The action is dismissed as manifestly inadmissible.*
2. *Melkveebedrijf Overenk BV, Maatschap Veehouderij Kwakernaak, Mulders Agro vof, Melkveebedrijf Engelen vof, Melkveebedrijf De Peel BV and Mr Mathijs Moonen are ordered to pay the costs.*

(¹) OJ C 347, 26.11.2011.

**Order of the General Court of 10 September 2013 —
Symbio Gruppe v OHIM — Ada Cosmetic (SYMBIOTIC CARE)**

(Case T-562/11) (¹)

(Community trade mark — Opposition proceedings — Cancellation of international registration — No need to adjudicate)

(2013/C 336/48)

Language of the case: German

Parties

Applicant: Symbio Gruppe GmbH & Co. KG (Herborn, Germany) (represented by: A. Schulz and C. Onken, lawyers)

Defendant: Office for Harmonisation in the Internal Market (Trade Marks and Designs) (represented by: R. Pethke and D. Botis, agents)

Other party to the proceedings before the Board of Appeal of OHIM, intervening before the General Court: Ada Cosmetic GmbH (Kehl, Germany) (represented: initially by H. Börjes-Pestalozza, then by R. Douglas Morton and E. Kessler, lawyers)

Re:

Action brought against the decision of the Fourth Board of Appeal of OHIM of 18 August 2011 (Case R 2121/2010-4), relating to opposition proceedings between Symbio Gruppe GmbH & Co. KG and Ada Cosmetic GmbH.

Operative part of the order

1. *There is no need to adjudicate on the action.*
2. *Each party shall bear its own costs.*

(¹) OJ C 13, 14.1.2012

**Order of the General Court of 16 September 2013 —
Hübner v OHIM — Silesia Gerhard Hanke (Original
silecia Kieselsäure-Gel)**

(Case T-211/12) (¹)

(Community trade mark — Opposition — Withdrawal of opposition — No need to adjudicate)

(2013/C 336/49)

Language of the case: German

Parties

Applicant: Anton Hübner GmbH & Co KG (Ehrenkirchen, Germany) (represented: initially by A. Kirchgäßner and subsequently by R. Kunz-Hallstein, lawyers)