

**Judgment of the General Court of 14 May 2014 — Germany v Commission**(Case T-198/12) <sup>(1)</sup>

*(Approximation of laws — Directive 2009/48/EC — Safety of toys — Limit values for nitrosamines, nitrosatable substances, lead, barium, arsenic, antimony and mercury in toys — Commission decision not to approve fully the maintenance of national provisions derogating therefrom — Time-limited approval — Proof of a higher level of protection for human health offered by the national provisions)*

(2014/C 202/24)

Language of the case: German

**Parties**

*Applicant:* Federal Republic of Germany (represented by: T. Henze and A. Wiedmann, acting as Agents)

*Defendant:* European Commission (represented by: M. Patakia and G. Wilms, acting as Agents)

**Re:**

Application for annulment in part of Commission Decision 2012/160/EU of 1 March 2012 concerning the national provisions notified by the German Federal Government maintaining the limit values for lead, barium, arsenic, antimony, mercury and nitrosamines and nitrosatable substances in toys beyond the entry into application of Directive 2009/48/EC of the European Parliament and of the Council on the safety of toys (OJ 2012 L 80, p. 19).

**Operative part of the judgment**

*The Court:*

1. Declares that there is no need to adjudicate on the lawfulness of Commission Decision 2012/160/EU of 1 March 2012 concerning the national provisions notified by the German Federal Government maintaining the limit values for lead, barium, arsenic, antimony, mercury and nitrosamines and nitrosatable substances in toys beyond the entry into application of Directive 2009/48/EC of the European Parliament and of the Council on the safety of toys, in so far as it concerns barium;
2. Annuls the second paragraph of Article 1 of Decision 2012/160 in so far as it approved the national provisions setting the limit values for lead only until 21 July 2013;
3. Dismisses the action as to the remainder;
4. Orders the European Commission to bear its own costs and to pay one half of the costs incurred by the Federal Republic of Germany.

<sup>(1)</sup> OJ C 200, 7.7.2012.

**Judgment of the General Court of 20 May 2014 — Argo Group International Holdings v OHIM — Arisa Assurances (ARIS)**(Case T-247/12) <sup>(1)</sup>

*(Community trade mark — Opposition proceedings — Application for Community figurative mark ARIS — Earlier Community figurative mark ARISA ASSURANCES S.A. — Relative ground for refusal — Likelihood of confusion — Similarity of the signs — Coexistence of earlier marks on the market — Principle of American law known as the ‘Morehouse defense’ — Article 8(1)(b) of Regulation (EC) No 207/2009)*

(2014/C 202/25)

Language of the case: English

**Parties**

*Applicant:* Argo Group International Holdings Ltd (Hamilton, Bermuda, United Kingdom) (represented by: R. Hoy, S. Levine and N. Edbrooke, Solicitors)