

**Re:**

Appeal brought against the judgment of the European Union Civil Service Tribunal (Second Chamber) of 17 July 2012 in Case F-54/11 *BG v Ombudsman*, not yet published in the ECR, and seeking that that judgment be set aside.

**Operative part of the judgment**

*The Court:*

1. *Dismisses the appeal;*
2. *Orders BG to bear her own costs and to pay those incurred by the European Ombudsman in the present proceedings.*

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<sup>(1)</sup> OJ C 156, 1.6.2013.

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**Judgment of the General Court of 21 May 2014 — Bateaux mouches v OHIM**

(Case T-553/12) <sup>(1)</sup>

***(Community trade mark — Application for figurative Community trade mark BATEUAX-MOUCHES — Absolute ground for refusal — Lack of distinctive character — Article 7(1)(b) of Regulation (EC) No 207/2009 — Descriptive character — Article 7(1)(c) of Regulation No 207/2009 — No distinctive character acquired through use — Article 7(3) of Regulation No 207/2009)***

(2014/C 212/34)

*Language of the case: French*

**Parties**

*Applicant:* Compagnie des bateaux mouches SA (Paris, France) (represented by: G. Barbaut, lawyer)

*Defendant:* Office for Harmonisation in the Internal Market (Trade Marks and Designs) (represented by: V. Melgar, Agent)

**Re:**

Action brought against the decision of the Second Board of Appeal of OHIM of 9 October 2012 (Case R 1709/2011-2) concerning an application for registration of the figurative sign BATEAUX-MOUCHES as a Community trade mark.

**Operative part of the judgment**

*The Court:*

1. *Dismisses the action;*
2. *Orders Compagnie des bateaux mouches SA to pay the costs.*

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<sup>(1)</sup> OJ C 55, 23.2.2013.