

**Re:**

Action brought against the decision of the Fourth Board of Appeal of OHIM of 11 October 2012 (Case R 1845/2010-4), relating to opposition proceedings between Bodegas Muga, SL and Aroa Bodegas, SL.

**Operative part of the judgment**

*The Court:*

1. Dismisses the action;
2. Orders Aroa Bodegas, SL to bear its own costs and to pay those incurred by the Office for Harmonisation in the Internal Market (Trade Marks and Designs) (OHIM).
3. Orders Bodegas Muga, SL to bear its own costs.

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<sup>(1)</sup> OJ C 38, 9.2.2013.

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**Judgment of the General Court of 11 September 2014 — El Corte Inglés v OHIM — Baumarkt Praktiker Deutschland (PRO OUTDOOR)**

(Case T-127/13) <sup>(1)</sup>

*(Community trade mark — Opposition proceedings — Application for the Community word mark PRO OUTDOOR — Earlier Community figurative mark OUTDOOR garden barbecue camping — Likelihood of confusion — Article 8(1)(b) of Regulation (EC) No 207/2009 — Subject-matter of the proceedings before the Board of Appeal — Articles 60 and 64(1) of Regulation No 207/2009)*

(2014/C 380/11)

*Language of the case: Spanish*

**Parties**

*Applicant:* El Corte Inglés, SA (Madrid, Spain) (represented by: E. Seijo Veiguera and J.L. Rivas Zurdo, lawyers)

*Defendant:* Office for Harmonisation in the Internal Market (Trade Marks and Designs) (represented by: J. Crespo Carrillo, acting as Agent)

*Other party to the proceedings before the Board of Appeal of OHIM:* Baumarkt Praktiker Deutschland GmbH (Hamburg, Germany)

**Re:**

Action brought against the decision of the Second Board of Appeal of OHIM of 11 December 2012 (Case R 1900/2011-2), relating to opposition proceedings between Baumarkt Praktiker Deutschland GmbH and El Corte Inglés, SA.

**Operative part of the judgment**

*The Court:*

1. annuls the decision of the Second Board of Appeal of the Office for Harmonisation in the Internal Market (Trade Marks and Designs) (OHIM) of 11 December 2012 (Case R 1900/2011-2), relating to opposition proceedings between Baumarkt Praktiker Deutschland GmbH and El Corte Inglés, SA, in so far as the Board of Appeal did not rule on the claims of El Corte Inglés, SA regarding the likelihood of confusion between the marks at issue in relation to the goods at issue other than 'data processing equipment and computers' in Class 9;
2. dismisses the action as to the remainder;
3. orders OHIM and El Corte Inglés, SA to bear their own costs.

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<sup>(1)</sup> OJ C 129, 4.5.2013.