

**Re:**

Application for the annulment of Commission Decision C(2012) 1999 final of 28 March 2012 relating to a proceeding under Article 23(1)(c) of Regulation (EC) No 1/2003 (refusal to submit to an inspection) (Case COMP/39793 — EPH and Others).

**Operative part of the judgment**

The Court:

- 1) Dismisses the action;
- 2) Orders Energetický a průmyslový holding a.s. and EP Investment Advisors s.r.o. to pay the costs.

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<sup>(1)</sup> OJ C 250, 18.8.2012.

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**Judgment of the General Court of 25 November 2014 — Brouwerij Van Honsbrouck v OHIM — Beverage Trademark (KASTEEL)**

(Case T-374/12) <sup>(1)</sup>

**(Community trade mark — Opposition procedure — International registration covering the European Community — Figurative mark KASTEEL — Earlier national word mark CASTEL BEER — Relative grounds for refusal — Genuine use of the earlier mark — Article 42(2) and (3) of Regulation (EC) No 207/2009 — Likelihood of confusion — Article 8(1)(b) of Regulation (EC) No 207/2009 — Article 76 (1) of Regulation No 207/2009)**

(2015/C 016/51)

Language of the case: French

**Parties**

*Applicant:* Brouwerij Van Honsbrouck (Ingelmunster, Belgium) (represented by: P. Maeyaert, lawyer)

*Defendant:* Office for Harmonisation in the Internal Market (Trade Marks and Designs) (represented by: A. Folliard-Monguiral, acting as Agent)

*Other party to the proceedings before the Board of Appeal of OHIM, intervener before the General Court:* Beverage Trademark Co. Ltd BTM (Tortola, British Virgin Islands) (represented by: R. Dequiré-Portier, lawyer)

**Re:**

Action brought against the decision of the Second Board of Appeal of OHIM of 8 June 2012 (Case R 2551/2010-2), in opposition proceedings between Beverage Trademark Co. Ltd BTM and Brouwerij Van Honsbrouck.

**Operative part of the judgment**

The Court:

- (1) Dismisses the action;
- (2) Orders Brouwerij Van Honsbrouck to bear its own costs and to pay those incurred by the Office for Harmonisation in the Internal Market (Trade Marks and Designs) (OHIM) and Beverage Trademark Co. Ltd BTM.

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<sup>(1)</sup> OJ C 343, 10.11.2012.