

- 2) Orders OHIM to bear its own costs and to pay those incurred by The Coca-Cola Company;
- 3) Orders Modern Industrial & Trading Investment Co. Ltd (Mitico) to bear its own costs.

<sup>(1)</sup> OJ C 26, 26.1.2013.

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**Judgment of the General Court of 11 December 2014 — Heli-Flight v EASA**

(Case T-102/13) <sup>(1)</sup>

**(Civil aviation — Application for approval of flight conditions for a Robinson R66 helicopter — Rejection decision of the EASA — Action for annulment — Scope of the Board of Appeal's review — Scope of the Court's review — Action for failure to act — Non-contractual liability)**

(2015/C 046/56)

Language of the case: German

**Parties**

*Applicant:* Heli-Flight GmbH & Co. KG (Reichelsheim, Germany) (represented by: T. Kittner, lawyer)

*Defendant:* European Aviation Safety Agency (EASA) (represented by: T. Masing and C. Eckart, lawyers)

**Re:**

First, application for annulment of the decision of the EASA of 13 January 2012 rejecting the applicant's application for approval of flight conditions submitted for a Robinson R66 helicopter (serial number 0034); secondly, application for a declaration that the EASA failed to act concerning the processing of the applicant's applications of 11 July 2011 and 10 January 2012 concerning that helicopter and, thirdly, claim that the EASA should make good the damage that the applicant considers it has suffered because of that rejection decision and that alleged failure to act.

**Operative part of the judgment**

*The Court:*

1. Dismisses the action;
2. Orders Heli-Flight GmbH & Co. KG to pay the costs.

<sup>(1)</sup> OJ C 123, 27.4.2013.

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**Judgment of the General Court of 12 December 2014 — Ludwig Schokolade v OHIM — Immergut (TrinkFix)**

(Case T-105/13) <sup>(1)</sup>

**(Community trade mark — Opposition proceedings — Application for the Community word mark TrinkFix — Earlier national and Community word marks Drinkfit — Relative ground for refusal — Likelihood of confusion — Similarity of the signs — Similarity of the goods and services — Article 8(1) (b) of Regulation (EC) No 207/2009 — Genuine use of the earlier mark — Article 42(2) and (3) of Regulation No 207/2009)**

(2015/C 046/57)

Language of the case: German

**Parties**

*Applicant:* Ludwig Schokolade GmbH & Co. KG (Bergisch Gladbach, Germany) (represented by: S. Fischer and A. Brodkorb, lawyers)