

**Re:**

Action brought against the decision of the Fifth Board of Appeal of OHIM of 22 May 2013 (Case R 1195/2012-5), concerning opposition proceedings between A-Rosa Akademie GmbH and Le Comptoir d'Épicerie.

**Operative part of the judgment**

The Court:

- 1) Dismisses the action;
- 2) Orders Le Comptoir d'Épicerie to pay the costs.

<sup>(1)</sup> OJ C 284, 28.9.2013.

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**Judgment of the General Court of 11 December 2014 — ‘Millano’ Krzysztof Kotas v OHIM (Shape of a box of chocolates)**

(Case T-440/13) <sup>(1)</sup>

**(Community trade mark — Application for three-dimensional Community trade mark — Shape of a box of chocolates — Absolute ground for refusal — Lack of distinctive character — Article 7(1)(b) of Regulation (EC) No 207/2009)**

(2015/C 046/61)

Language of the case: Polish

**Parties**

*Applicant:* Zakład Wyrobów Cukierniczych ‘Millano’ Krzysztof Kotas (Przeźmierowo, Poland) (represented by: B. Kański, lawyer)

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

**Re:**

Action brought against the decision of the Second Board of Appeal of OHIM of 22 May 2013 (Case R 755/2012-2) concerning an application for registration of a three-dimensional sign consisting in the shape of a box of chocolates as a Community trade mark.

**Operative part of the judgment**

The Court:

1. Dismisses the action;
2. Orders Zakład Wyrobów Cukierniczych ‘Millano’ Krzysztof Kotas to bear its own costs and those incurred by the Office for Harmonisation in the Internal Market (Trade Marks and Designs) (OHIM).

<sup>(1)</sup> OJ C 344, 23.11.2013.

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**Judgment of the General Court of 12 December 2014 — AN v Commission**

(Case T-512/13 P) <sup>(1)</sup>

**(Appeal — Civil service — Officials — Psychological harassment — Article 22a(3) of the Staff Regulations — Failure to adjudicate — Distortion of facts)**

(2015/C 046/62)

Language of the case: French

**Parties**

*Appellant:* AN (Brussels, Belgium) (represented by: É. Boigelot and R. Murru, lawyers)

*Other party to the proceedings:* European Commission (represented by: J. Currall and C. Ehrbar, Agents)