

Interveners in support of the applicant: Republic of Finland (represented by: S. Hartikainen, acting as Agent); and Kingdom of Sweden (represented initially by A. Falk, C. Meyer-Seitz, U. Persson, C. Stege, S. Johannesson and H. Karlsson, and subsequently by A. Falk, C. Meyer-Seitz, U. Persson, E. Karlsson, L. Swedenborg and C. Hagerman, acting as Agents)

Intervener in support of the defendant: French Republic (represented by: B. Beaupère-Manokha, D. Colas and F. Fize, acting as Agents)

Re:

Application for annulment of the decision of the Commission of 27 June 2012 refusing, during the standstill period, access to its detailed opinion concerning a draft Order relating to the content and submission conditions of the annual declaration of nanoparticle substances (2011/673/F), which had been notified to it by the French authorities pursuant to Directive 98/34/EC of the European Parliament and of the Council of 22 June 1998 laying down a procedure for the provision of information in the field of technical standards and regulations (OJ 1998 L 204, p. 37), as amended by Directive 98/48/EC of the European Parliament and of the Council of 20 July 1998 (OJ 1998 L 217, p. 18).

Operative part of the judgment

The Court:

1. *Annuls the decision of the European Commission of 27 June 2012 refusing, during the standstill period, access to its detailed opinion concerning a draft Order relating to the content and submission conditions of the annual declaration of nanoparticle substances (2011/673/F), which had been notified to it by the French authorities pursuant to Directive 98/34/EC of the European Parliament and of the Council of 22 June 1998 laying down a procedure for the provision of information in the field of technical standards and regulations, as amended by Directive 98/48/EC of the European Parliament and of the Council of 20 July 1998;*
2. *Orders the Commission to bear its own costs and to pay those incurred by Mr Carl Schlyter;*
3. *Orders the French Republic, the Republic of Finland and the Kingdom of Sweden to bear their own costs.*

⁽¹⁾ OJ C 343, 10.11.2012.

Judgment of the General Court of 16 April 2015 — Matratzen Concord v OHIM — KBT (ARKTIS)

(Case T-258/13) ⁽¹⁾

(Community trade mark — Revocation proceedings — Community word mark ARKTIS — Genuine use of the mark — Article 51(1)(a) of Regulation (EC) No 207/2009 — Form of use of the mark — Proof use for the registered goods — Consent of the trade mark owner)

(2015/C 190/14)

Language of the case: German

Parties

Applicant: Matratzen Concord GmbH (Cologne, Germany) (represented by: I. Selting and J. Mertens, lawyers)

Defendant: Office for Harmonisation in the Internal Market (Trade Marks and Designs) (represented by: A. Schifko, agent)

Other party to the proceedings before the Board of Appeal of OHIM intervening before the General Court: KBT & Co. Ernst Kruchen
agenzia commerciale società in accomandita (Locarno, Switzerland) (represented by: K. Schulze Horn, lawyer)

Re:

Action brought against the decision of the Fourth Board of Appeal of OHIM of 4 March 2013 (Case R 2133/2011-4) relating to revocation proceedings between Matratzen Concord GmbH and KBT & Co. Ernst Kruchen agenzia commerciale società in accomandita.

Operative part of the judgment

1. *Dismisses the action;*
2. *Orders Matratzen Concord GmbH to pay the costs including the expenses necessarily incurred by KBT & Co. Ernst Kruchen agenzia commerciale società in accomandita for the purposes of the proceedings before the Board of Appeal of the Office for Harmonisation in the Internal Market (Trade Marks and Designs) (OHIM).*

⁽¹⁾ OJ C 207, 20.7.2013.

Judgment of the General Court of 23 April 2015 — Iglotex v OHIM — Iglo Foods Group (IGLOTEX)

(Case T-282/13) ⁽¹⁾

(Community trade mark — Opposition proceedings — Application for Community figurative mark IGLOTEX — Earlier Community word mark IGLO — Relative ground for refusal — Likelihood of confusion — Article 8(1)(b) of Regulation (EC) No 207/2009)

(2015/C 190/15)

Language of the case: English

Parties

Applicant: Iglotex SA (Skórcz, Poland) (represented by: I.-M. Helbig, P. Hansmersmann and S. Rengshausen, lawyers)

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

Other party to the proceedings before the Board of Appeal of OHIM, intervening before the General Court: Iglo Foods Group Ltd (Feltham, United Kingdom) (represented initially by C. Hawkes, Solicitor, and subsequently by B. Brandreth and C. Hall, Barristers)

Re:

Action brought against the decision of the Second Board of Appeal of OHIM of 1 March 2013 (Case R 67/2012-2), relating to opposition proceedings between Iglo Foods Group Ltd and Iglotex SA.

Operative part of the judgment

The Court:

1. *Dismisses the action;*
2. *Orders Iglotex SA to pay the costs.*

⁽¹⁾ OJ C 207, 20.7.2013.