

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

Other party to the proceedings before the Board of Appeal of OHIM: BASF SE (Ludwigshafen, Germany)

Re:

Action brought against the decision of the Fifth Board of Appeal of OHIM of 28 October 2013 (Case R 1862/2012-5) relating to opposition proceedings between BASF SE and GAT Microencapsulation GmbH (formerly GAT Microencapsulation AG).

Operative part of the judgment

The Court:

1. *Dismisses the action;*
2. *Orders Gat Microencapsulation GmbH to pay the costs.*

⁽¹⁾ OJ C 71, 8.3.2014.

Judgment of the General Court of 30 September 2015 — Tilda Riceland Private v OHIM — Siam Grains (BASmALI)

(Case T-136/14) ⁽¹⁾

(Community trade mark — Opposition proceedings — Application for the Community figurative mark BASmALI — Earlier non-registered trade mark or earlier sign BASMATI — Relative ground for refusal — Article 8(4) of Regulation (EC) No 207/2009)

(2015/C 389/46)

Language of the case: English

Parties

Applicant: Tilda Riceland Private Ltd (Gurgaon, India) (represented by: S. Malynicz, Barrister, N. Urwin and D. Sills, Solicitors)

Defendant: Office for Harmonisation in the Internal Market (Trade Marks and Designs) (represented by: P. Geroulakos and P. Bullock, acting as Agents)

Other party to the proceedings before the Board of Appeal of OHIM: Siam Grains Co. Ltd (Bangkok, Thailand)

Re:

Action brought against the decision of the Fourth Board of Appeal of OHIM of 18 December 2013 (Case R 1086/2012-4) relating to opposition proceedings between Tilda Riceland Private Ltd and Siam Grains Co. Ltd.

Operative part of the judgment

The Court:

1. *Annuls the decision of the Fourth Board of Appeal of the Office for Harmonisation in the Internal Market (Trade Marks and Designs) (OHIM) of 18 December 2013 (Case R 1086/2012-4);*
2. *Orders OHIM to bear its own costs and to pay those incurred by Tilda Riceland Private Ltd.*

⁽¹⁾ OJ C 135, 5.5.2014.

Judgment of the General Court of 23 September 2015 — Cristiano di Thiene v OHIM — Nautica Apparel (AERONAUTICA)

(Case T-193/14) ⁽¹⁾

(Community trade mark — Opposition proceedings — Application for Community word mark AERONAUTICA — Earlier Community word marks NAUTICA and NAUTICA BLUE — Relative ground for refusal — Likelihood of confusion — Article 8(1)(b) of Regulation (EC) No 207/2009)

(2015/C 389/47)

Language of the case: English

Parties

Applicant: Cristiano di Thiene SpA (Thiene, Italy) (represented by: F. Fischetti and F. Celluprica, lawyers)

Defendant: Office for Harmonisation in the Internal Market (Trade Marks and Designs) (represented by: P. Bullock and N. Bambara, acting as Agents)

Other party to the proceedings before the Board of Appeal of OHIM, intervener before the General Court: Nautica Apparel, Inc. (New York, New York, United States) (represented by: C. Hawkes, Solicitor, and B. Brandreth, Barrister)

Re:

Action brought against the decision of the Fourth Board of Appeal of OHIM of 10 January 2014 (Case R 96/2013-4) concerning opposition proceedings between Nautica Apparel, Inc. and Cristiano di Thiene SpA.

Operative part of the judgment

The Court:

1. *Dismisses the action;*
2. *Orders Cristiano di Thiene SpA to pay the costs.*

⁽¹⁾ OJ C 151, 19.5.2014.