

Judgment of the General Court of 12 November 2015 — Orthogen v OHIM — Arthrex (IRAP)(Case T-253/13) ⁽¹⁾**(Community trade mark — Invalidity proceedings — Community word mark IRAP — Absolute ground for refusal — Lack of distinctive character — Article 7(1)(b) of Regulation (EC) No 207/2009 — Article 52(1)(a) of Regulation No 207/2009)**

(2016/C 007/24)

Language of the case: German

Parties

Applicant: Orthogen AG (Düsseldorf, Germany) (represented by: M. Finger and S. Krüger, lawyers)

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

Other party to the proceedings before the Board of Appeal of OHIM, intervening before the General Court: Arthrex GmbH (Garching, Germany) (represented by: R. Greiffenberg and O. Stöckel, lawyers)

Re:

Action brought against the decision of the First Board of Appeal of OHIM of 21 February 2013 (Case R 382/2012-1), relating to invalidity proceedings between Arthrex GmbH and Orthogen AG.

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders Orthogen AG to bear its own costs and those incurred by the Office for Harmonisation in the Internal Market (Trade Marks and Designs) and by Arthrex GmbH.

⁽¹⁾ OJ C 207, 20.7.2013.

Judgment of the General Court of 12 November 2015 — Italy v Commission(Case T-255/13) ⁽¹⁾**(EAGGF — Guarantee Section — EAGF and EAFRD — Expenditure excluded from financing — Flat rate financial corrections — Direct payments — Conditionality — Aid for the processing of citrus fruit — Conditions for accreditation of a paying agency)**

(2016/C 007/25)

Language of the case: Italian

Parties

Applicant: Republic of Italy (represented by: G. Palmieri, Agent, and by B. Tidore and M. Salvatorelli, avvocati dello Stato)

Defendant: European Commission (represented by: D. Bianchi and P. Rossi, Agents)