

Operative part of the judgment

The Court:

1. Dismisses the application in its entirety;
2. Orders Volžskij trubnyi zavod OAO (VTZ OAO), Taganrogskij metallurģičeskij zavod OAO (Tagmet OAO), Sinarskij trubnyj zavod OAO (SinTZ OAO) and Severskij trubnyj zavod OAO (STZ OAO) to bear their own costs and to pay those of the Council of the European Union and those of ArcelorMittal Tubular Products Ostrava a.s., Benteler Steel/Tube GmbH, Dalmine SpA, Productos Tubulares, SA, Rohrwerk Maxhütte GmbH, ArcelorMittal Tubular Products Roman SA, Silcotub SA, Tubos Reunidos Industrial, SL, V & M Deutschland GmbH, V & M France, Vallourec Mannesmann Oil & Gas France, and voestalpine Tubular GmbH & Co. KG;
3. Orders the European Commission to bear its own costs.

⁽¹⁾ OJ C 114, 20.4.2013.

Judgment of the General Court of 16 December 2015 — Greece v Commission

(Case T-241/13) ⁽¹⁾

(EAGGF — Guarantee Section — EAGF and EAFRD — Expenditure excluded from the financing — Beef and beef products — Sheepmeat and goatmeat — Tobacco — Article 69 of Regulation (EC) No 1782/2003 — Article 31(2) of Regulation (EC) No 1290/2005 — Article 23(1) of Regulation (EC) No 796/2004)

(2016/C 048/49)

Language of the case: Greek

Parties

Applicant: The Hellenic Republic (represented by: I. Chalkias, S. Papaïoannou and A. Vasilopoulou, acting as Agents)

Defendant: European Commission (represented by: A. Marcoulli and D. Triantafyllou, acting as Agents)

Re:

ACTION for annulment of Commission Implementing Decision 2013/123/EU of 26 February 2013 on excluding from European Union financing certain expenditure incurred by the Member States under the Guarantee Section of the European Agricultural Guidance and Guarantee Fund (EAGGF), under the European Agricultural Guarantee Fund (EAGF) and under the European Agricultural Fund for Rural Development (EAFRD) (OJ 2013 L 67, p. 20), so far as it excludes certain expenditure carried out by the Hellenic Republic.

Operative part of the judgment

The Court:

1. Annuls Commission Implementing Decision 2013/123/EU of 26 February 2013 on excluding from European Union financing certain expenditure incurred by the Member States under the Guarantee Section of the European Agricultural Guidance and Guarantee Fund (EAGGF), under the European Agricultural Guarantee Fund (EAGF) and under the European Agricultural Fund for Rural Development (EAFRD) (OJ 2013 L 67, p. 20), so far as it excludes certain expenditure carried out by the Hellenic Republic in the tobacco sector, in respect of claim year 2006;

2. Dismisses the action for the remainder;
3. Orders the European Commission and the Hellenic Republic to bear their own costs.

⁽¹⁾ OJ C 207, 20.7.2013.

Judgment of the General Court of 16 December 2015 — Perfetti Van Melle v OHIM (DAISY and MARGARITAS)

(Joined Cases T-381/13 and T-382/13) ⁽¹⁾

(Community trade mark — Application for Community word marks DAISY and MARGARITAS — Absolute grounds for refusal — Partial refusal to register — No distinctive character — Distinctive character — Article 7(1)(b) and (c) of Regulation (EC) No 207/2009)

(2016/C 048/50)

Language of the case: Italian

Parties

Applicant: Perfetti Van Melle SpA (Lainate, Italy) (represented by: P. Testa, lawyer)

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

Re:

Actions brought against two decisions of the First Board of Appeal of OHIM of 10 April 2013 (Cases R 427/2012-1 and R 430/2012-1), concerning applications for registration of the word sign DAISY and the word sign MARGARITAS as Community trade marks.

Operative part of the judgment

The Court:

1. Annuls the two decisions of the First Board of Appeal of the Office for Harmonisation in the Internal Market (OHIM) of 10 April 2013 (Cases R 427/2012-1 and R 430/2012-1), in so far as they rejected the applications for registration of the word sign DAISY and the word sign MARGARITAS as Community trade marks in respect of the following goods: 'confectionery, pastries, sweets, soft caramels, marshmallows, caramels, chewing gum, gelatine (confectionery), liquorice, lollipops, toffee, pastilles, sugar, chocolate, cocoa';
2. Orders OHIM to pay the costs.

⁽¹⁾ OJ C 274, 21.9.2013.