

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

Other parties to the proceedings before the Board of Appeal of OHIM: Harry's New York Bar SA (Case T-84/14); and Harrys Pubar AB (intervener before the General Court in Case T-97/14)

Re:

Two actions brought against the decision of the First Board of Appeal of OHIM of 14 November 2013 (joined Cases R 1038/2012-1 and R 1045/2012-1), relating to opposition proceedings between Harrys Pubar AB and Harry's New York Bar SA.

Operative part of the judgment

The Court:

1. Annuls, in Case T-84/14 points 1 of the operative part of the decision of the First Board of Appeal of the Office for Harmonisation in the Internal Market (Trade Marks and Designs) (OHIM) of 14 November 2013 (joined Cases R 1038/2012-1 and R 1045/2012-1), relating to opposition proceedings between Harrys Pubar AB and Harry's New York Bar SA;
2. Dismisses, in Case T-97/14, the action brought by Harry's New York Bar;
3. Orders Harry's New York Bar to bear its own costs, to pay two thirds of the costs incurred by Harrys Pubar in the proceedings before the General Court and to pay the costs incurred by Harrys Pubar in the course of the proceedings before the Board of Appeal of OHIM. OHIM is ordered to bear its own costs and to pay one third of the costs incurred by Harrys Pubar in the proceedings before the General Court.

⁽¹⁾ OJ C 135, 5.5.2014.

Judgment of the General Court of 18 February 2016 — Calberson GE v Commission

(Case T-164/14) ⁽¹⁾

(Arbitration clause — Programme to supply agricultural products to Russia — Supply of beef — Non-performance of the contract by the intervention agency — Applicable law — Limitation — Late release of certain supply securities — Partial payment of a transport invoice — Underpayment in foreign currency of certain invoices — Default interest)

(2016/C 111/24)

Language of the case: French

Parties

Applicant: Calberson GE (Villeneuve-Garenne, France) (represented by: T. Gallois and E. Dereviankine, lawyers)

Defendant: European Commission (represented by: D. Bianchi and I. Galindo Martín, acting as Agents)

Intervener in support of the defendant: French Republic (represented by: D. Colas and C. Candat, acting as Agents)

Re:

Application under Article 272 TFEU for an order requiring the Commission to compensate the applicant for the loss which it claims to have suffered following acts of misconduct allegedly committed by the intervention agency in the performance of a contract relating to the transport of beef to Russia in accordance with Commission Regulation (EC) No 111/1999 of 18 January 1999 laying down general rules for the application of Council Regulation (EC) No 2802/98 on a programme to supply agricultural products to the Russian Federation (OJ 1999 L 14, p. 3), and Commission Regulation (EC) No 1799/1999 of 16 August 1999 on the supply of beef to Russia (OJ 1999 L 217, p. 20).

Operative part of the judgment

The Court:

1. *Dismisses the action;*
2. *Orders Calberson GE to pay the costs;*
3. *Orders the French Republic to bear its own costs.*

⁽¹⁾ OJ C 184, 16.6.2014.

Judgment of the General Court of 18 February 2016 — Jannatian v Council

(Case T-328/14) ⁽¹⁾

(Common foreign and security policy — Restrictive measures adopted against Iran with the aim of preventing nuclear proliferation — Freezing of funds — Admission restriction — Action for annulment — No need to adjudicate — Non-contractual liability — Sufficiently serious breach of a rule of law conferring rights on individuals — Non-material damage)

(2016/C 111/25)

Language of the case: English

Parties

Applicant: Mahmoud Jannatian (Tehran, Iran) (represented by: I. Smith Monnerville and S. Monnerville, lawyers)

Defendant: Council of the European Union (represented by: F. Naert and M. Bishop, acting as Agents)

Re:

Action for the annulment of Council Decision 2010/413/CFSP of 26 July 2010 concerning restrictive measures against Iran and repealing Common Position 2007/140/CFSP (OJ 2010 L 195, p. 39), Council Decision 2010/644/CFSP of 25 October 2010 amending Decision 2010/413 (OJ 2010 L 281, p. 81), Council Regulation (EU) No 961/2010 of 25 October 2010 on restrictive measures against Iran and repealing Regulation (EC) No 423/2007 (OJ 2010 L 281, p. 1), and Council Regulation (EU) No 267/2012 of 23 March 2012 concerning restrictive measures against Iran and repealing Regulation (EU) No 961/2010 (OJ 2012 L 88, p. 1), as well as Council Implementing Regulations (EU) No 350/2012 of 23 April 2012, No 709/2012 of 2 August 2012, No 945/2012 of 15 October 2012, No 1264/2012 of 21 December 2012, No 522/2013 of 6 June 2013, No 1203/2013 of 26 November 2013, and No 397/2014 of 16 April 2014 implementing Regulation (EU) No 267/2012 (OJ 2012 L 110, p. 17, OJ 2012 L 208, p. 2, OJ 2012 L 282, p. 16, OJ 2012 L 356, p. 55, OJ 2013 L 156, p. 3, OJ 2013 L 316, p. 1, and OJ 2014 L 119, p. 1, respectively), in so far as those acts concern the applicant, and a claim for compensation for the damage which he claims to have suffered.