

Operative part of the judgment

The Court:

1. Annuls Commission Decision 2014/342/EU of 16 October 2013 on State aid No SA.18211 (C 25/2005) (ex NN 21/2005) granted by the Slovak Republic for Frucona Košice a.s.;
2. Orders the Commission to bear, in addition to its own costs, the costs incurred by Frucona Košice, including those incurred in connection with the proceedings for interim measures.

⁽¹⁾ OJ C 112, 14.4.2014.

Judgment of the General Court of 16 March 2016 — The Body Shop International v OHIM — Spa Monopole (SPA WISDOM)

(Case T-201/14) ⁽¹⁾

(Community trade mark — Opposition proceedings — Application for the Community word mark SPA WISDOM — Earlier Benelux word mark SPA — Relative grounds for refusal — Unfair advantage taken of the distinctive character or the repute of the earlier trade mark — Article 8(5) of Regulation (EC) No 207/2009)

(2016/C 156/45)

Language of the case: English

Parties

Applicant: The Body Shop International plc (Littlehampton, United Kingdom) (represented by: I. Vernimme, H. Viaene, S. Vandewynckel and D. Gillet, lawyers)

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

Other party to the proceedings before the Board of Appeal of OHIM, intervener before the General Court: Spa Monopole, compagnie fermière de Spa SA/NV (Spa, Belgium) (represented by: E. Cornu and E. De Gryse, lawyers)

Re:

Action brought against the decision of the Fourth Board of Appeal of OHIM of 16 January 2014 (Case R 1516/2012-4), relating to opposition proceedings between The Body Shop International plc and Spa Monopole, compagnie fermière de Spa SA/NV.

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders The Body Shop International plc to pay the costs.

⁽¹⁾ OJ C 235, 21.7.2014.