

**Judgment of the General Court of 16 February 2017 — Lubrizol France v Council**(Case T-191/14) <sup>(1)</sup>**(Common Customs Tariff — Regulation concerning the suspension of autonomous duties on certain agricultural and industrial products — Objection to existing suspensions — Equivalence of products — Procedure for handling objections)**

(2017/C 104/55)

Language of the case: English

**Parties**

**Applicant:** Lubrizol France SAS (Rouen, France) (represented by: R. MacLean, Solicitor, B. Hartnett, Barrister, and A. Bochon, lawyer)

**Defendant:** Council of the European Union (represented by: F. Florindo Gijón and M. Balta, acting as Agents)

**Intervener in support of the defendant:** European Commission (represented initially by A. Caeiros and M. Clausen, and subsequently by A. Caieros and A. Lewis, acting as Agents)

**Re:**

Application pursuant to Article 263 TFEU seeking annulment of Articles 1 and 4 of Council Regulation (EU) No 1387/2013 of 17 December 2013 suspending the autonomous Common Customs Tariff duties on certain agricultural and industrial products and repealing Regulation (EU) No 1344/2011 (OJ 2013 L 354, p. 201), to the extent that those measures deprived the applicant of its entitlement to three duty suspensions which it previously enjoyed under TARIC Codes 2918 2900 80, 3811 2900 10 and 3811 9000 30.

**Operative part of the judgment**

The Court:

1. Dismisses the action;
2. Orders Lubrizol France SAS to bear its own costs and to pay those incurred by the Council of the European Union;
3. Orders the European Commission to bear its own costs.

<sup>(1)</sup> OJ C 151, 19.5.2014.

**Judgment of the General Court of 17 February 2017 — Construlink v EUIPO — Wit-Software (GATEWIT)**(Case T-351/14) <sup>(1)</sup>**(EU trade mark — Opposition proceedings — Application for EU word mark GATEWIT — Earlier EU figurative mark wit software — Earlier national business name Wit-Software, Consultoria e Software para a Internet Móvel, SA — Relative ground for refusal — Likelihood of confusion — Similarity of the signs — Article 8(1)(b) and (4) of Regulation (EC) No 207/2009)**

(2017/C 104/56)

Language of the case: English

**Parties**

**Applicant:** Construlink — Tecnologias de Informação, SA (Lisbon, Portugal) (represented by: M. Lopes Rocha and A. Bertrand, lawyers)