

*Defendant:* European Commission (represented initially by J. Vondung and A. Buchet, and subsequently by F. Erlbacher, P. Van Nuffel and A. Dawes, acting as Agents)

**Re:**

Application pursuant to Article 263 TFEU seeking annulment of the Commission decision of 17 February 2015 refusing to grant the applicant access to documents relating to the procedure for abuse of dominant position with reference COMP/AT.40089 — Deutsche Telekom.

**Operative part of the judgment**

*The Court:*

1. Dismisses the action.
2. Deutsche Telekom AG is ordered to pay the costs.

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<sup>(1)</sup> OJ C 270, 17.8.2015.

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**Judgment of the General Court of 29 March 2017 — J & Joy v EUIPO — Joy-Sportswear (J AND JOY)**

(Case T-387/15) <sup>(1)</sup>

**(EU trade mark — Opposition proceedings — EU word mark J AND JOY — Earlier national figurative mark joy SPORTSWEAR — Relative grounds for refusal — Likelihood of confusion — Similarity of the goods — Similarity of the signs — Assessment criteria — Composite mark — Article 8(1)(b) of Regulation (EC) No 207/2009)**

(2017/C 151/37)

*Language of the case: English*

**Parties**

*Applicant:* J & Joy SA (Waremmé, Belgium) (represented by: A. Maqua, C. Pirenne and C. Smits, lawyers)

*Defendant:* European Union Intellectual Property Office (EUIPO) (represented by: H. O'Neill, acting as Agent)

*Other party to the proceedings before the Board of Appeal of EUIPO, intervener before the General Court:* Joy-Sportswear GmbH (Ottensooß, Germany), (represented by: T. Kiphuth, lawyer)

**Re:**

Action brought against the decision of the Second Board of Appeal of EUIPO of 22 April 2015 (Case R 1352/2014-2) relating to opposition proceedings between Joy-Sportswear and J & Joy.

**Operative part of the judgment**

*The Court:*

1. Dismisses the action;
2. Orders J & Joy SA to pay the costs.

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<sup>(1)</sup> OJ C 381, 16.11.2015.