

*Defendant:* European Union Intellectual Property Office (represented by: E. Zaera Cuadrado, acting as Agent)

*Other party to the proceedings before the Board of Appeal of EUIPO, intervener before the General Court:* Ordem de São Miguel da Ala (Lisbon, Portugal) (represented by: J. Motta Veiga, lawyer)

**Re:**

Action brought against the decision of the Second Board of Appeal of EUIPO of 26 February 2016 (Case R 621/2015-2), relating to revocation proceedings between Duarte Pio De Bragança and Ordem de São Miguel da Ala.

**Operative part of the order**

1. *There is no longer any need to adjudicate on the action.*
2. *Each party shall bear its own costs.*

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<sup>(1)</sup> OJ C 270, 25.7.2016.

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**Order of the General Court of 16 March 2018 — KiK Textilien und Non-Food v EUIPO — FF Group Romania (\_kix)**

(Case T-822/16) <sup>(1)</sup>

*(EU trade mark — Opposition proceedings — Application for EU figurative mark \_kix — Revocation of the contested decision — Action which has become devoid of purpose — No need to adjudicate — Articles 173(1) and (2) of the Rules of Procedure — Intervention by the other party to the proceedings before the Board of Appeal — Response lodged out of time)*

(2018/C 166/39)

*Language of the case: English*

**Parties**

*Applicant:* KiK Textilien und Non-Food GmbH (Bönen, Germany) (represented by: S. Körber and L. Pechan, lawyers)

*Defendant:* European Union Intellectual Property Office (represented by: K. Zajfert and A. Folliard-Monguiral, acting as Agents)

*Other party to the proceedings before the Board of Appeal of EUIPO, intervener before the General Court:* FF Group Romania SRL (Bucharest, Romania) (represented by: A. Cavescu, lawyer)

**Re:**

Action brought against the decision of the Fourth Board of Appeal of EUIPO of 6 September 2016 (Case R 2323/2015-4), relating to opposition proceedings between KiK Textilien und Non-Food and FF Group Romania.

**Operative part of the order**

1. *There is no longer any need to adjudicate on the action.*

2. The European Union Intellectual Property Office (EUIPO) shall bear its own costs and pay those incurred by KiK Textilien und Non-Food GmbH.
3. FF Group Romania shall bear its own costs.

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<sup>(1)</sup> OJ C 22, 23.1.2017.

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**Order of the General Court of 15 March 2018 — Polskie Górnictwo Naftowe i Gazownictwo v Commission**

**(Case T-130/17) <sup>(1)</sup>**

**(Action for annulment — Internal market in natural gas — Directive 2009/73/EC — Commission decision amending the conditions for exemption from the EU requirements of the rules governing operation of the OPAL pipeline in regard to third-party access and tariff regulation — Lack of direct concern — Inadmissibility)**

(2018/C 166/40)

Language of the case: Polish

**Parties**

Applicant: Polskie Górnictwo Naftowe i Gazownictwo S.A. (Warsaw, Poland) (represented by: M. Jeżewski, lawyer)

Defendant: European Commission (represented by: O. Beynet and K. Herrmann, acting as Agents)

**Re:**

Action based on Article 263 TFEU and seeking annulment of Commission Decision C(2016) 6950 final of 28 October 2016 on the review of the conditions for exemption of the OPAL pipeline, granted under Directive 2003/55/EC of the European Parliament and of the Council of 26 June 2003 concerning common rules for the internal market in natural gas and repealing Directive 98/30/EC (OJ 2003 L 176, p. 57), from the rules on third-party access and tariff regulation.

**Operative part of the order**

1. The action is dismissed as inadmissible.
2. There is no longer any need to adjudicate on the applications for leave to intervene.
3. Polskie Górnictwo Naftowe i Gazownictwo S.A. shall bear its own costs and pay those incurred by the European Commission, including the costs relating to the interlocutory proceedings.
4. The Federal Republic of Germany shall bear its own costs relating to the interlocutory proceedings.
5. Polskie Górnictwo Naftowe i Gazownictwo, the Commission, the Federal Republic of Germany, the European Parliament, the Council of the European Union, OPAL Gastransport GmbH & Co. KG and Gazprom Eksport LLC shall each bear their own respective costs relating to the applications for leave to intervene.

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<sup>(1)</sup> OJ C 121, 18.4.2017.