

Procedure — Intervention — Introduction of the application to intervene — Time-limit (Rules of Procedure of the General Court, Arts 115, 116 and 135(1), first para.) (see paras 19, 23)

Re:

ACTION against the decision of the Fourth Board of Appeal of OHIM of 10 January 2011 (Case R 43/2010-4), concerning opposition proceedings between Consorzio vino Chianti Classico and Fédération française de rugby (FFR).

Operative part

1. The Fédération française de rugby (FFR) is not granted leave to participate in the proceedings in Case T-143/11 as an intervener under Article 134(1) of the Rules of Procedure of the General Court.
2. The FFR is ordered to bear its own costs.

**Judgment of the General Court (Seventh Chamber) of 27 September 2011 —
Gul Ahmed Textile Mills v Council**

(Case T-199/04)

(Dumping — Imports of cotton bed linen originating in Pakistan — Injury — Causal link)

1. *Common commercial policy — Protection against dumping — Injury — Establishing of the causal link — Obligations of the institutions — Whether factors extraneous to dumping to be taken into account — Abolition of previous anti-dumping duties and ordinary customs duties under the system of generalised tariff preferences — Included (Agreement on the implementation of Article VI of the General Agreement on Tariffs and Trade, '1994 Anti-dumping Code', Art. 3.5; Council Regulations No 384/96, Art. 3(6) and (7), and No 1225/2009, Art. 3(6) and (7)) (see paras 53, 55-61, 68-69, 83)*
2. *European Union law — Interpretation — Methods — Interpretation having regard to international agreements concluded by the Community — Interpretation of Regulation No 384/96 having regard to the 1994 GATT anti-dumping Code (Agreement on the implementation of Article VI of the General Agreement on Tariffs and Trade, '1994 Anti-dumping Code'; Council Regulation No 384/96) (see para. 54)*
3. *Common commercial policy — Protection against dumping — Injury — Establishing of the causal link — Obligations of the institutions — Whether factors extraneous to dumping to be taken into account — Need for overall analysis (Council Regulations No 384/96, Arts 3(6) and (7), and 17(3), and No 1225/2009) (see paras 75-81)*

Re:

APPLICATION for annulment of Council Regulation (EC) No 397/2004 of 2 March 2004 imposing a definitive anti-dumping duty on imports of cotton-type bed linen originating in Pakistan (OJ 2004 L 66, p. 1), in so far as it concerns the applicant.

Operative part

The Court:

1. Annuls Council Regulation (EC) No 397/2004 of 2 March 2004 imposing a definitive anti-dumping duty on imports of cotton-type bed linen originating in Pakistan in so far as it concerns Gul Ahmed Textile Mills Ltd;

2. Orders the Council of the European Union to bear its own costs and pay those incurred by Gul Ahmed Textile Mills;
3. Orders the European Commission to bear its own costs.

**Judgment of the General Court (Third Chamber) of 27 September 2011 —
Perusahaan Otomobil Nasional v OHIM — Proton Motor Fuel Cell
(PM PROTON MOTOR)**

(Case T-581/08)

(Community trade mark — Opposition proceedings — Application for the Community figurative mark PM PROTON MOTOR — Earlier national, Benelux and Community word and figurative marks PROTON — Relative grounds for refusal — No likelihood of confusion — Lack of similarity between the goods and services — Article 8(1)(b) of Regulation (EC) No 40/94 (now Article 8(1)(b) of Regulation (EC) No 207/2009) — Article 8(5) of Regulation No 40/94 (now Article 8(5) of Regulation No 207/2009)

Community trade mark — Definition and acquisition of the Community trade mark — Relative grounds for refusal — Opposition by the proprietor of an earlier identical or similar mark registered for identical or similar goods or services — Likelihood of confusion with the earlier mark (Council Regulation No 40/94, Art. 8(1)(b)) (see paras 23, 26, 30)

Re:

ACTION brought against the decision of the First Board of Appeal of OHIM of 9 October 2008 (Case R 1675/2007-1) concerning opposition proceedings between Perusahaan Otomobil Nasional Sdn Bhd and Proton Motor Fuel Cell GmbH.