

Form of order sought

- The contested decision be annulled;
- the defendant be ordered to pay the costs.

Pleas in law and main arguments

Applicant for a Community trade mark: Vasileios Ginis.

Community trade mark concerned: Figurative mark 'BILLY'S products' (application No 4.215.273) for goods in Class 3.

Proprietor of the mark or sign cited in the opposition proceedings: Laboratorios Byly.

Mark or sign cited in opposition: Community word marks 'BYLY' (application No 156.216) for goods in Class 3, and 'byly' (application No 2.604.015) for goods in Classes 3 and 5, and services in Class 35.

Decision of the Opposition Division: Opposition rejected.

Decision of the Board of Appeal: Appeal dismissed.

Pleas in law: Incorrect interpretation of Article 8(1)(b) of Regulation (EC) No 40/94 on the Community trade mark.

Order of the Court of First Instance of 19 November 2008
— UPC v Commission

(Case T-367/05) ⁽¹⁾

(2009/C 19/68)

Language of the case: French

The President of the Fourth Chamber has ordered that the case be removed from the register.

⁽¹⁾ OJ C 315, 10.12.2005.

Order of the Court of First Instance of 25 November 2008
— Commission v Northumbrian Water

(Case T-334/06) ⁽¹⁾

(2009/C 19/69)

Language of the case: English

The President of the Fourth Chamber has ordered that the case be removed from the register.

⁽¹⁾ OJ C 326, 30.12.2006.

Order of the Court of First Instance of 27 November 2008
— Kuiburi Fruit Canning v Council

(Case T-330/07) ⁽¹⁾

(2009/C 19/70)

Language of the case: English

The President of the First Chamber has ordered that the case be removed from the register.

⁽¹⁾ OJ C 269, 10.11.2007.

Order of the Court of First Instance of 27 November 2008
— Dow AgroSciences and Others v Commission

(Case T-367/07) ⁽¹⁾

(2009/C 19/71)

Language of the case: English

The President of the Court of First Instance (Second Chamber) has ordered that the case be removed from the register.

⁽¹⁾ OJ C 283, 24.11.2007.