

**Judgment of the Court of First Instance of 13 December 2007 — Cabrera Sánchez v OHIM — Industrias Cárnicas Valle (el charcutero artesano)**

(Case T-242/06) <sup>(1)</sup>

*(Community trade mark — Opposition proceedings — Application for the Community figurative mark el charcutero artesano — Earlier national figurative mark El Charcutero — Relative ground for refusal — No likelihood of confusion — Absence of similarity between the signs — Article 8(1)(b) of Regulation (EC) No 40/94)*

(2008/C 22/83)

*Language of the case: Spanish*

**Parties**

*Applicant:* Miguel Cabrera Sánchez (Móstoles, Spain) (represented by: J. Calderón Chavero and T. Villate Consonni, lawyers)

*Defendant:* Office for Harmonisation in the Internal Market (Trade Marks and Designs) (represented by: J. García Murillo, Agent)

*Other party to the proceedings before the Board of Appeal of OHIM:* Industrias Cárnicas Valle, SA (Madrid, Spain)

**Re:**

Action brought against the decision of the First Board of Appeal of OHIM of 15 June 2006 (Case R 790/2005-1) relating to opposition proceedings between Miguel Cabrera Sánchez and Industrias Cárnicas Valle, SA.

**Operative part of the judgment**

*The Court:*

1. Dismisses the action;
2. Orders Miguel Cabrera Sánchez to bear his own costs and to pay those incurred by the Office for Harmonisation in the Internal Market (Trade Marks and Designs) (OHIM).

<sup>(1)</sup> OJ C 261, 28.10.2006.

**Order of the President of the Court of First Instance of 4 December 2007 — Cheminova and Others v Commission**

(Case T-326/07 R)

*(Application for interim relief — Directive 91/414/EEC — Application for suspension of operation of a measure — Admissibility — No urgency)*

(2008/C 22/84)

*Language of the case: English*

**Parties**

*Applicants:* Cheminova A/S (Harboøre, Denmark), Cheminova Agro Italia Srl (Rome, Italy), Cheminova Bulgaria EOOD (Sofia, Bulgaria), Agrodan, SA (Madrid, Spain) and Lodi SAS (Grand Fougeray, France) (represented by: C. Mereu and K. Van Maldegem, lawyers)

*Defendant:* Commission of the European Communities (represented by: B. Doherty and L. Parpala, Agents)

**Re:**

Application for suspension of the operation of Commission Decision 2007/389/EC of 6 June 2007 concerning the non-inclusion of malathion in Annex I to Council Directive 91/414/EEC and the withdrawal of authorisations for plant protection products containing that substance (OJ 2007 L 146, p. 19) pending the full resolution of the dispute in the main proceedings

**Operative part of the order**

1. *The application for interim measures is dismissed.*
2. *Costs are reserved.*

**Action brought on 19 November 2007 — Euro-Information v OHIM (Representation of a hand holding a card plus three triangles)**

(Case T-414/07)

(2008/C 22/85)

*Language of the case: French*

**Parties**

*Applicant:* Européenne de traitement de l'Information (Euro-Information) (Strasbourg, France) (represented by P. Greffe and M. Chaminade, lawyers)

*Defendant:* Office for Harmonisation in the Internal Market (Trade Marks and Designs)