

**Operative part of the judgment**

The Court:

1. Dismisses the appeal;
2. Orders Mr František Doktor and the Council of the European Union to bear their own costs incurred in connection with the appeal.

(<sup>1</sup>) OJ C 223, 30.8.2008.

**Judgment of the General Court of 23 February 2010 — Özdemir v OHIM — Aktieselskabet af 21 november 2001 (James Jones)**

(Case T-11/09) (<sup>1</sup>)

*(Community trade mark — Opposition proceedings — Application for the Community word mark James Jones — Earlier Community word mark JACK & JONES — Relative ground for refusal — Likelihood of confusion — Article 8(1)(b) of Regulation (EC) No 40/94 (now Article 8(1)(b) of Regulation (EC) No 207/2009)*

(2010/C 100/60)

Language of the case: English

**Parties**

*Applicant:* Rahmi Özdemir (Dreieich, Germany) (represented by: I. Hoes, M. Heinrich, C. Schröder, K. von Werder and J. Wittenberg, lawyers)

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

*Other party to the proceedings before the Board of Appeal of OHIM, intervener before the Court:* Aktieselskabet af 21. november 2001 (Brande, Denmark) (represented by: C. Barrett Christiansen, lawyer)

**Re:**

Action brought against the decision of the Second Board of Appeal of OHIM of 3 November 2008 (Case R 858/2007-2), concerning opposition proceedings between Aktieselskabet af 21. november 2001 and Rahmi Özdemir.

**Operative part of the judgment**

The Court:

1. Dismisses the action;
2. Orders Rahmi Özdemir to pay the costs.

(<sup>1</sup>) OJ C 55, 7.3.2009.

**Order of the General Court of 4 February 2010 — Crunch Fitness International v OHIM — ILG (CRUNCH)**

(Case T-408/07) (<sup>1</sup>)

*(Community trade mark — Revocation — Withdrawal of the request for revocation — No need to adjudicate)*

(2010/C 100/61)

Language of the case: English

**Parties**

*Applicant:* Crunch Fitness International, Inc. (New York, New York, United States) (represented by: initially J. Barry, Solicitor, and subsequently H. Johnson, Barrister)

*Defendant:* Office for Harmonisation in the Internal Market (Trade Marks and Designs) (represented by: S. Laitinen and D. Botis, Agents)

*Other party to the proceedings before the Board of Appeal of OHIM intervening before the General Court:* ILG Ltd (Dun Laoghaire, Ireland) (represented by: A. von Mühlendahl, lawyer)

**Re:**

Action brought against the decision of the Fourth Board of Appeal of OHIM of 30 August 2007 (Case R 1168/2005-4) relating to revocation proceedings between ILG Ltd and Crunch Fitness International Inc.

**Operative part of the order**

1. There is no need to rule on the action.
2. The applicant and the intervener shall bear their own costs and shall each pay half of those incurred by the defendant.

(<sup>1</sup>) OJ C 8, of 12.1.2008.