

Operative part of the order

1. *The appeals are dismissed.*
2. *Mr Rath is ordered to pay the costs.*

⁽¹⁾ OJ C 82 of 4.04.2009.

**Order of the Court (Fifth Chamber) of 9 December 2009
— Prana Haus GmbH v Office for Harmonisation in the
Internal Market (Trade Marks and Designs)**

(Case C-494/08 P) ⁽¹⁾

*(Appeal — Article 119 of the Rules of Procedure —
Community trade mark — Word mark PRANAHAUS —
Regulation (EC) No 40/94 — Absolute ground for refusal
— Descriptive character — Appeal manifestly inadmissible
in part and manifestly unfounded in part)*

(2010/C 63/28)

Language of the case: German

Parties

Applicant: Prana Haus GmbH (represented by: N. Hebeis, Rechtsanwalt)

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

Re:

Appeal brought against the judgment of the Court of First Instance (Eighth Chamber) delivered on 17 September 2008 in Case T-226/07 *Prana Haus GmbH v Office for Harmonisation in the Internal Market (Trade Marks and Designs)* by which the Court of First Instance dismissed the action for annulment of the decision of the First Board of Appeal of OHIM of 18 April 2007 dismissing the appeal against the Examiner's decision to refuse registration of the word mark PRANAHAUS for goods and services in classes 9, 16 and 35 — Descriptive character of the mark

Operative part of the order

1. *The appeal is dismissed.*
2. *Prana Haus GmbH is ordered to pay the costs.*

⁽¹⁾ OJ C 32, 7.2.2009.

**Order of the Court (Third Chamber) of 12 January 2010
(Reference for a preliminary ruling from the Amtsgericht
Charlottenburg — Germany) — Amiraiké Berlin GmbH**

(Case C-497/08) ⁽¹⁾

*(Non-contentious proceedings — Appointment of the
liquidator of a company — Lack of jurisdiction of the Court)*

(2010/C 63/29)

Language of the case: German

Referring court

Amtsgericht Charlottenburg

Parties to the main proceedings

Applicant: Amiraiké Berlin GmbH

Re:

Reference for a preliminary ruling — Amtsgericht Charlottenburg — Interpretation of Arts 10, 43 and 48 of the EC Treaty — Recognition by a Member State of an expropriatory measure concerning assets situated in its territory, ordered by the legal system of another Member State — Removal of a limited liability company under United Kingdom law from the register at Companies House for failure to fulfil publicity obligations, resulting in the forfeiture of its assets, including real estate situated in Germany, to the United Kingdom crown.

Operative part

The Court of Justice of the European Union clearly has no jurisdiction to rule on the question referred by the Amtsgericht Charlottenburg in its decision of 7 November 2008.

⁽¹⁾ OJ C 113, 16.5.2009.

**Appeal brought on 24 March 2009 by Sociedad General de
Autores y Editores (SGAE) against the judgment delivered
on 13 January 2009 by the Court of First Instance (Seventh
Chamber) in Case T-456/08 Sociedad General de Autores y
Editores (SGAE) v Commission of the European
Communities**

(Case C-112/09 P)

(2010/C 63/30)

Language of the case: Spanish

Parties

Appellant: Sociedad General de Autores y Editores (SGAE) (represented by: R. Allendesalazar Corcho and R. Vallina Hoset, abogados)