

3. Orders the United Kingdom of Great Britain and Northern Ireland and the European Commission to bear their own costs.

(<sup>1</sup>) OJ C 171, 5.7.2008.

**Judgment of the General Court of 11 May 2010 — Abadía Retuerta v OHIM (CUVÉE PALOMAR)**

(Case T-237/08) (<sup>1</sup>)

*(Community trade mark — Application for the Community word mark CUVÉE PALOMAR — Absolute ground for refusal — Trade marks for wines containing geographical indications — TRIPS Agreement — Article 7(1)(j) of Regulation (EC) No 40/94 (now Article 7(1)(j) of Regulation (EC) No 207/2009))*

(2010/C 179/59)

Language of the case: Spanish

**Parties**

*Applicant:* Abadía Retuerta, SA (Sardón de Duero, Spain) (represented by: X. Fàbrega Sabaté and M-l. Curell Aguilà, lawyers)

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

**Re:**

Action brought against the decision of the First Board of Appeal of OHIM of 2 April 2008 (Case R 1185/2007-1), concerning registration of the word sign CUVÉE PALOMAR as a Community trade mark.

**Operative part of the judgment**

*The Court:*

1. Dismisses the action;

2. Orders Abadía Retuerta, SA, to pay the costs.

(<sup>1</sup>) OJ C 272, 25.10.2008.

**Judgment of the General Court of 19 May 2010 — Ravensburger v OHIM — Educa Borrás (EDUCA Memory game)**

(Case T-243/08) (<sup>1</sup>)

*(Community trade mark — Invalidity proceedings — Community figurative mark EDUCA Memory game — Earlier national and international word marks MEMORY — Relative ground for refusal — Lack of similarity between the signs — Articles 8(1)(b) and (5), 74 and 75 of Regulation (EC) No 40/94 (now Articles 8(1)(b) and (5), 76 and 77 of Regulation (EC) No 207/2009))*

(2010/C 179/60)

Language of the case: English

**Parties**

*Applicant:* Ravensburger AG (Ravensburg, Germany) (represented by: G. Würtenberger and R. Kunze, lawyers)

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

*Other party to the proceedings before the Board of Appeal of OHIM, intervening before the General Court:* Educa Borrás, SA (Barcelona, Spain) (represented by: I. Valdelomar Serrano, lawyer)

**Re:**

Action brought against the decision of the Second Board of Appeal of OHIM of 8 April 2008 (Case R 597/2007-2) relating to invalidity proceedings between Ravensburger AG and Educa Borrás, SA.

**Operative part of the judgment**

*The Court:*

1. Dismisses the action.