

**Judgment of the General Court of 18 June 2010 —
Luxembourg v Commission**

(Case T-549/08) ⁽¹⁾

(ESF — Suspension of financial aid — Campaign against discrimination and inequality in the employment market — Serious failings in the system of management and monitoring which could lead to systemic irregularities — Article 39(2)(c) of Regulation (EC) No 1260/1999 — Legitimate expectations)

(2010/C 209/55)

Language of the case: French

Parties

Applicant: Grand Duchy of Luxembourg (represented by: M. Fisch, acting as Agent, and P. Kinsch, lawyer)

Defendant: European Commission (represented by: A. Steiblytė and B. Conte, acting as Agents)

Re:

Application for annulment of Commission Decision C(2008) 5383 of 24 September 2008 on the suspension of interim payments from the European Social Fund (ESF) to the single programming document for Community structural interventions falling under Objective No 3 to Luxembourg, and Commission Decision C(2008) 5730 of 6 October 2008 on the suspension of interim payments from the Community initiative to combat discrimination and inequality in the employment market (EQUAL) to Luxembourg.

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders the Grand Duchy of Luxembourg to pay the costs.

⁽¹⁾ OJ C 44, 21.2.2009.

**Judgment of the General Court of 22 June 2010 — CM
Capital Markets v OHIM — Carbon Capital Markets
(CARBON CAPITAL MARKETS)**

(Case T-563/08) ⁽¹⁾

(Community trade mark — Opposition proceedings — Application for Community word mark CARBON CAPITAL MARKETS — Earlier Community and national figurative marks CM Capital Markets — Relative ground for refusal — No likelihood of confusion — No similarity between the signs — Article 8(1)(b) of Regulation (EC) No 40/94 (now Article 8(1)(b) of Regulation (EC) No 207/2009))

(2010/C 209/56)

Language of the case: English

Parties

Applicant: CM Capital Markets Holding, SA (Madrid, Spain) (represented by: T. Villate Consonni and J. Calderón Chavero, lawyers)

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

Other party to the proceedings before the Board of Appeal of OHIM intervening before the General Court: Carbon Capital Markets Ltd (Oxford, United Kingdom) (represented by: E. Hardcastle, Solicitor)

Re:

Action brought against the decision of the First Board of Appeal of OHIM of 26 September 2008 (Case R 15/2008-1) concerning opposition proceedings between CM Capital Markets Holding, SA and Carbon Capital Markets Ltd.

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders CM Capital Markets Holding, SA to pay the costs.

⁽¹⁾ OJ C 44, 21.2.2009.