

**Judgment of the General Court (Second Chamber) of 20 September 2011 —
Arch Chemicals and Others v Commission**

(Case T-120/08)

(Action for annulment — Health policy — Marketing of biocidal products — Regulation (EC) No 1451/2007 — Not individually concerned — Inadmissibility — Default procedure)

Actions for annulment — Natural or legal persons — Measures of direct and individual concern to them — Possibility of being individually concerned by a general decision — Conditions — Commission regulation designed to establish the rules for applying the work programme for examining all existing active substances — Action brought by producers of active substances — Not individually concerned — Inadmissibility (Art. 230, fourth para., EC; Commission Regulation No 1451/2007) (see paras 34-38, 44-46, 49-50)

Re:

APPLICATION for annulment of Article 3(2), Article 4, Article 7(3), the second subparagraph of Article 14(2), Article 15(3), Article 17 of and Annex II to Commission Regulation (EC) No 1451/2007 of 4 December 2007 on the second phase of the 10-year work programme referred to in Article 16(2) of Directive 98/8/EC of the European Parliament and of the Council concerning the placing of biocidal products on the market (OJ 2007, L 325, p. 3).

Operative part

The Court:

1. Dismisses the action;

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2. Declares that there is no need to adjudicate on the applications for leave to intervene made by the European Parliament and the Council of the European Union;
3. Orders Arch Chemicals, Inc., Arch Timber Protection Ltd, Rhodia UK Ltd, Sumitomo Chemical (UK) plc and Troy Chemical Co. BV to bear their own costs;
4. Orders the European Chemical Industry Council (CEFIC) to bear its own costs.

**Judgment of the General Court (Second Chamber) of 20 September 2011 —
Dornbracht v OHIM — Metaform Lucchese (META)**

(Case T-1/09)

(Community trade mark — Opposition procedure — Application for the Community word mark META — Earlier Community figurative mark METAFORM — Relative grounds for refusal — Similarity of the goods and the signs — Refusal of registration — Article 8(1)(b) of Regulation (EC) No 40/94 (now Article 8(1)(b) of Regulation (EC) No 207/2009) — Likelihood of confusion)

Community trade mark — Definition and acquisition of the Community trade mark — Relative grounds for refusal — Opposition by the proprietor of an earlier identical or similar mark registered for identical or similar goods or services — Likelihood of confusion with the earlier mark (Council Regulation No 40/94, Art. 8(1)(b)) (see paras 26, 49, 54, 59, 63-64)