

Judgment of the General Court of 9 June 2010 — Muñoz Arraiza v OHIM — Consejo Regulador de la Denominación de Origen Calificada Rioja (RIOJAVINA)

(Case T-138/09) ⁽¹⁾

(Community trade mark — Opposition proceedings — Application for Community word mark RIOJAVINA — Earlier Community collective figurative mark RIOJA — Relative ground for refusal — Article 8(1)(b) of Regulation (EC) No 40/94 (now Article 8(1)(b) of Regulation (EC) No 207/2009)

(2010/C 209/57)

Language of the case: Spanish

Parties

Applicant: Félix Muñoz Arraiza (Logroño, Spain) (represented by: J. Grimau Muñoz and J. Villamor Mugerza, 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, intervener before the Court: Consejo Regulador de la Denominación de Origen Calificada Rioja (Logroño) (represented by: J.I. Martínez De Torre, lawyer)

Re:

Action brought against the decision of the Second Board of Appeal of OHIM of 29 January 2009 (Case R 721/2008-2) concerning opposition proceedings between the Consejo Regulador de la Denominación de Origen Calificada Rioja and Félix Muñoz Arraiza.

Operative part of the judgment

The Court:

1. Dismisses the application;
2. Orders Félix Muñoz Arraiza to pay the costs.

⁽¹⁾ OJ C 153, 4.7.2009.

Order of the General Court of 9 June 2010 — Hoelzer v OHIM (SAFELOAD)

(Case T-315/09) ⁽¹⁾

(Community trade mark — Application for the figurative Community trade mark SAFELOAD — Absolute ground for refusal — Descriptive character — Article 7(1)(c) of Regulation (EC) No 207/2009)

(2010/C 209/58)

Language of the case: German

Parties

Applicant: Oliver Hoelzer (Remscheid, Germany) (represented by: Rother, J. Vogtmeier, P. Mes, C. Graf von der Groeben, J. Bühling, A. Verhauwen, J. M. Künzel, D. Jestaedt and M. Bergemann, lawyers)

Defendant: Office for Harmonisation in the Internal Market (Trade Marks and Designs) (represented by: S. Schäffner, agent)

Re:

Action brought against the decision of the Fourth Board of Appeal of OHIM of 3 June (Case R 1157/2008-4), concerning an application for registration of the figurative sign SAFELOAD as a Community trade mark

Operative part of the order

The Court:

1. Dismisses the application;
2. Orders Hoelzer to pay the costs.

⁽¹⁾ OJ C 267 of 7.11.2009

Order of the General Court of 3 June 2010 — Z v Commission

(Case T-173/09) ⁽¹⁾

(Access to documents — Inadmissibility — Injunction)

(2010/C 209/59)

Language of the case: German

Parties

Applicant: Z (Hannoversch Münden, Germany) (represented by: C. Grau and N. Jäger, lawyers)