

Judgment of the General Court of 26 September 2012 — Italy v Commission

(Case T-84/09) ⁽¹⁾

(EAGGF — Guarantee Section — Expenditure excluded from financing — Provision of information and promotion of agricultural products — Production of olive oil and table olives — Late payment)

(2012/C 343/15)

Language of the case: Italian

Parties

Applicant: Italian Republic (represented by: L. Ventrella and G. Palmieri, avvocati dello Stato)

Defendant: European Commission (represented by: F. Jimeno Fernández and P. Rossi, Agents)

Re:

Application for annulment of Commission Decision 2008/960/EC of 8 December 2008 excluding from Community financing certain expenditure incurred by the Member States under the Guarantee Section of the European Agricultural Guidance and Guarantee Fund (EAGGF) and under the European Agricultural Guarantee Fund (EAGF) (OJ 2008 L 340, p. 99), as far as it excludes certain expenditure incurred by the Italian Republic.

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders the Italian Republic to pay the costs.

⁽¹⁾ OJ C 90, 18.4.2009.

Judgment of the General Court of 26 September 2012 — Serrano Aranda v OHIM — Burg Groep (LE LANCIER)

(Case T-265/09) ⁽¹⁾

(Community trade mark — Opposition proceedings — Application for Community word mark LE LANCIER — Earlier national word and figurative marks EL LANCERO — Relative grounds for refusal — No likelihood of confusion — Article 8(1)(b) of Regulation (EC) No 207/2009 — Opposition dismissed)

(2012/C 343/16)

Language of the case: Dutch

Parties

Applicant: Enrique Serrano Aranda (Murcia, Spain) (represented: initially by J. Calderón Chavero and T. Villate Consonni, then J. Calderón Chavero, lawyers)

Defendant: Office for Harmonisation in the Internal Market (Trade Marks and Designs) (represented: initially by W. Verberg and S. Bonne, then S. Bonne, Agents)

Other party to the proceedings before the Board of Appeal of OHIM: Burg Groep BV (Bergen, Netherlands)

Re:

Action brought against the decision of the First Board of Appeal of OHIM of 27 March 2009 (Case R 366/2008-1), relating to opposition proceedings between Mr Enrique Serrano Aranda and Burg Groep BV.

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders Mr Enrique Serrano Aranda to pay the costs.

⁽¹⁾ OJ C 205, 29.8.2009.

Judgment of the General Court of 26 September 2012 — IG Communications Ltd v OHIM — Citigroup and Citibank (CITIGATE)

(Case T-301/09) ⁽¹⁾

(Community trade mark — Opposition proceedings — Application for Community word mark CITIGATE — Earlier national and Community word and figurative marks containing the element ‘citi’ — Relative grounds for refusal — Likelihood of confusion — Family of trade marks — Article 8(1)(b) of Regulation (EC) No 207/2009 — Unfair advantage taken of the distinctive character or the repute of the earlier trade mark — Article 8(5) of Regulation No 207/2009)

(2012/C 343/17)

Language of the case: English

Parties

Applicant: IG Communications Ltd (London, United Kingdom) (represented by: M. Edenborough QC and R. Beard, Solicitor)

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

Other parties to the proceedings before the Board of Appeal of OHIM, intervening before the General Court: Citigroup, Inc. (New York, New York, United States); and Citibank, NA (New York) (represented: initially by V. von Bomhard, A. Renck, lawyers, and H. O'Neill, Solicitor, and subsequently by V. von Bomhard and A. Renck)

Re:

Action against the decision of the First Board of Appeal of OHIM of 30 April 2009 (Case R 821/2005-1) concerning opposition proceedings between Citigroup, Inc. and Citibank, NA, on the one hand, and IG Communications Ltd on the other.