

2. *Orders Icebreaker Ltd to bear the costs.*

(¹) OJ C 113, 16.5.2009.

**Judgment of the General Court of 8 September 2010 —
Quinta do Portal v OHIM — Vallegre (PORTO ALEGRE)**

(Case T-369/09) (¹)

*(Community trade mark — Invalidity proceedings —
Community word mark PORTO ALEGRE — Earlier
national word mark VISTA ALEGRE — Relative grounds
for refusal — Likelihood of confusion — Article 8(1)(b)
and Article 53(1)(a) of Regulation (EC) No 207/2009)*

(2010/C 288/76)

Language of the case: Portuguese

Parties

Applicant: Sociedade Quinta do Portal SA (Porto, Portugal)
(represented by: B. Belchior, lawyer)

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

Other party to the proceedings before the Board of Appeal of OHIM:
Vallegre, Vinhos do Porto, SA (Sabrosa, Portugal) (represented
by: P. López Ronda and G. Macias Bonilla, lawyers)

Re:

Action brought against the decision of the First Board of Appeal
of OHIM of 18 June 2009 (Case R 1012/2008-1) concerning
invalidity proceedings between Vallegre, Vinhos do Porto, SA
and Sociedade Quinta do Portal SA.

Operative part of the judgment

The Court:

1. *Dismisses the action;*

2. *Orders Sociedade Quinta do Portal SA to pay the costs.*

(¹) OJ C 297, 5.12.2009.

**Order of the General Court of 29 July 2010 — Duta v
Court of Justice**

(Case T-475/08 P) (¹)

*(Appeal — Civil service — Temporary staff — Recruitment
— Post as Legal Secretary — Appeal manifestly inadmissible)*

(2010/C 288/77)

Language of the case: French

Parties

Appellant: Radu Duta (Luxembourg, Luxembourg) (represented
by: F. Krieg, lawyer)

Other party to the proceedings: Court of Justice of the European
Union (represented by: initially by M. Schauss, then by A.
Placco, acting as Agents)

Re:

Appeal brought against the judgment of the Civil Service
Tribunal of the European Union (Second Chamber) of 4
September 2008 in Case F-103/07 *Duta v Court of Justice*, not
yet published in the ECR, and seeking to have that judgment set
aside.

Operative part of the order

1. *The appeal is dismissed.*

2. *Mr Radu Dutashall bear his own costs and pay those incurred by
the Court of Justice of the European Union in the present
proceedings.*

(¹) OJ C 167, 18.7.2009.