

2. The order of 31 January 2011 in Case T-457/09R *Westfälisch-Lippischer Sparkassen- und Giroverband v Commission* is rescinded.
3. The applications to intervene made by Westdeutsche Immobilien Bank AG, Landschaftsverband Westfalen-Lippe, Landschaftsverband Rheinland, WestLB, the Land Nordrhein-Westfalen and Rheinischer Sparkassen- und Giroverband have become devoid of purpose.
4. Costs are reserved.

**Judgment of the General Court (Third Chamber) of 21 March 2011 —
Visti Beheer v OHIM – Meister (GOLD MEISTER)**

(Case T-372/09)

(Community trade mark — Opposition proceedings — Application for figurative Community trade mark GOLD MEISTER — Earlier national and Community trade marks MEISTER — Relative ground for refusal — Likelihood of confusion — Article 8(1)(b) of Regulation (EC) No 207/2009)

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 21-24, 37-38)

Re:

ACTION brought against the decision of the First Board of Appeal of OHIM of 26 June 2009 (Case R 1465/2008-1) concerning opposition proceedings between Meister & Co. AG and Visti Beheer BV.

Information relating to the case

Applicant for the Community trade mark:	Visti Beheer BV
Community trade mark sought:	Figurative mark GOLD MEISTER in respect of goods and services in Classes 3, 14, 16, 35, 37, 40 and 42 — Application No 5243209
Proprietor of the mark or sign cited in the opposition proceedings:	Meister & Co. AG
Mark or sign cited in opposition:	German word mark No 39534716 and the Community mark No 2607737 MEISTER for goods in Class 14, whereas the opposition is directed solely against the registration for goods in that Class
Decision of the Opposition Division:	Opposition upheld
Decision of the Board of Appeal:	Appeal dismissed

Operative part

The Court:

1. Dismisses the action;
2. Orders Visti Beheer BV to bear its own costs and pay those incurred by OHIM;
3. Orders Meister & Co. AG to bear its own costs.