

Order of the Court (Eighth Chamber) of 25 November 2010 — Lufthansa AirPlus Servicekarten GmbH v Office for Harmonisation in the Internal Market (Trade Marks and Designs), Applus Servicios Tecnológicos SL

(Case C-216/10 P) ⁽¹⁾

(Appeal — Community trade mark — Regulation (EC) No 40/94 — Articles 8(1)(b) and (5), 73, 74 and 79 — Figurative mark A+ — Opposition by the proprietor of the Community word mark AirPlus International — Opposition rejected)

(2011/C 89/06)

Language of the case: English

Parties

Appellant: Lufthansa AirPlus Servicekarten GmbH (represented by: R. Kunze, Rechtsanwalt)

Other parties to the proceedings: Office for Harmonisation in the Internal Market (Trade Marks and Designs) (represented by: D. Botis, Agent), Applus Servicios Tecnológicos SL

Re:

Appeal against the judgment of the General Court (Sixth Chamber) of 3 March 2010 in Case T-321/07 *Lufthansa AirPlus Servicekarten GmbH v Office for Harmonisation in the Internal Market (Trade Marks and Designs) (OHIM) and Applus Servicios Tecnológicos* by which that court dismissed an action brought by the proprietor of the Community word mark 'AirPlus International' for goods and services in Classes 9, 35, 36 and 42 against Decision R 310/2006-2 of the Second Board of Appeal of OHIM of 7 June 2007 dismissing the appeal against the Opposition Division's decision rejecting the opposition brought by the appellant against the application for registration of the figurative mark 'A+' for goods and services in Classes 9, 35, 36, 37, 40, 41 and 42

Operative part of the order

1. *The appeal is dismissed.*
2. *Lufthansa AirPlus Servicekarten GmbH shall pay the costs.*

⁽¹⁾ OJ C 179, 3.7.2010.

Order of the Court (Fifth Chamber) of 15 December 2010 (reference for a preliminary ruling from the Audiencia Provincial de Oviedo — Spain) — Angel Lorenzo González Alonso v Nationale Nederlanden Vida Cia De Seguros y Reaseguros SAE

(Case C-352/10) ⁽¹⁾

(Reference for a preliminary ruling — Inadmissibility)

(2011/C 89/07)

Language of the case: Spanish

Referring court

Audiencia Provincial de Oviedo

Parties to the main proceedings

Applicant: Angel Lorenzo González Alonso

Defendant: Nationale Nederlanden Vida Cia De Seguros y Reaseguros SAE

Re:

Reference for a preliminary ruling — Audiencia Provincial de Oviedo — Interpretation of Article 3(2)(d) of Council Directive 85/577/EEC of 20 December 1985 to protect the consumer in respect of contracts negotiated away from business premises (OJ 1985 L 372, p. 31) — Contract, concluded away from business premises, under which life assurance is offered in return for payment of a monthly premium invested in various products of the company itself

Operative part of the order

The reference for a preliminary ruling made by the Audiencia Provincial de Oviedo by decision of 22 June 2010 is manifestly inadmissible.

⁽¹⁾ OJ C 288, 23.10.2010.

Reference for a preliminary ruling from Court of Appeal (England & Wales) (Civil Division) made on 13 December 2010 — The United States of America v Christine Nolan

(Case C-583/10)

(2011/C 89/08)

Language of the case: English

Referring court

Court of Appeal (England & Wales) (Civil Division)

Parties to the main proceedings

Applicant: The United States of America

Defendant: Christine Nolan

Question referred

Does the employer's obligation to consult about collective redundancies, pursuant to Directive 98/59/EC ⁽¹⁾, arise (i) when the employer is proposing, but has not yet made, a strategic business or operational decision that will foreseeably or inevitably lead to collective redundancies; or (ii) only when that decision has actually been made and he is then proposing consequential redundancies?

⁽¹⁾ Council Directive 98/59/EC of 20 July 1998 on the approximation of the laws of the Member States relating to collective redundancies OJ L 225, p. 16