

**Order of the Court (Seventh Chamber) of 22 June 2011 —  
Agencja Wydawnicza Technopol sp. z o.o. v Office for  
Harmonisation in the Internal Market (Trade Marks and  
Designs)**

(Case C-56/10 P) <sup>(1)</sup>

*(Appeal — Community trade mark — Figurative marks 100  
and 300 — Refusal of registration — Regulation (EC)  
No 40/94 — Article 7(1)(b) and (c) — Distinctive  
character — Descriptive character — Article 38(2) —  
Disclaimer of any exclusive right to a non-distinctive  
element of a trade mark applied for)*

(2011/C 340/08)

*Language of the case: Polish*

**Parties**

*Appellant:* Agencja Wydawnicza Technopol sp. z o.o. (repre-  
sented by: D. Rządowska radca prawny)

*Other party to the proceedings:* Office for Harmonisation in the  
Internal Market (Trade Marks and Designs) (represented by: D.  
Botis, Agent)

**Re:**

Appeal brought against the judgment of the Court of First  
Instance (Second Chamber) of 19 November 2009 in Joined  
Cases T-425/07 and T-426/07 *Agencja Wydawnicza Technopol v  
OHIM*, by which that Court dismissed two actions brought  
against the decisions of the Fourth Board of Appeal of OHIM  
of 3 September 2007 (Cases R 1274/2006-4 and  
R 1275/2006-4), concerning the applications for registration  
of the word marks 100 and 300 as Community trade marks  
— Infringement of Article 7(1)(b) and (c), and Article 38(2) of  
Council Regulation (EC) No 40/94 of 20 December 1993 on  
the Community trade mark (OJ 1994 L 11, p. 1), as replaced by  
Council Regulation (EC) No 207/2009 of 26 February 2009 on  
the Community trade mark (OJ 2009 L 78, p. 1) — Descriptive  
character of marks composed exclusively of figures.

**Operative part of the order**

1. *The appeal is dismissed,*
2. *Agencja Wydawnicza Technopol sp. z o.o. shall pay the costs.*

<sup>(1)</sup> OJ C 113, 1.05.2010.

**Order of the Court of 22 June 2011 — Grúas Abril  
Asistencia, SL v European Commission**

(Case C-521/10 P) <sup>(1)</sup>

*(Appeal — Article 119 of the Rules of Procedure — Alleged  
infringements of the provisions of European Union law  
relating to competition — Application seeking to require the  
Commission to initiate proceedings against a Member State  
for failure to fulfil obligations)*

(2011/C 340/09)

*Language of the case: Spanish*

**Parties**

*Appellant:* Grúas Abril Asistencia, SL (represented by: R. García  
García, lawyer)

*Other party to the proceedings:* European Commission (represented  
by: F. Castillo de la Torre and F. Castilla Contreras, Agents)

**Re:**

Appeal against the order of the General Court (Second  
Chamber) of 24 August 2010 in Case T-386/09 *Grúas Abril  
Asistencia v Commission*, by which the General Court dismissed  
an action seeking annulment of the Commission's letter of 7  
August 2009 informing the then applicant that the facts in  
respect of which it had lodged a complaint with the  
Commission did not permit the conclusion that there had  
been an infringement of Articles 81 EC, 82 EC and 86 EC  
and that no action would be taken in respect of its complaint.

**Operative part of the order**

1. *The appeal is dismissed.*
2. *Grúas Abril Asistencia, SL is ordered to pay the costs.*

<sup>(1)</sup> OJ C 30, 29.01.2011.

**Order of the Court (Fifth Chamber) of 8 September 2011  
— (reference for a preliminary ruling from the Giudice di  
pace di Mestre — Italy) — Criminal proceedings against  
Asad Abdallah**

(Case C-144/11) <sup>(1)</sup>

*(Reference for a preliminary ruling — No description of  
the factual context of the main proceedings — Manifest  
inadmissibility)*

(2011/C 340/10)

*Language of the case: Italian*

**Referring court**

Giudice di pace di Mestre

**Criminal proceedings against**

Asad Abdallah