

**Judgment of the General Court of 13 April 2011 — Air France v OHMI (Parallelogram shape)**

(Case T-159/10) <sup>(1)</sup>

*(Community trade mark — Application for Community figurative mark representing the shape of a parallelogram — Absolute ground of refusal — Absence of distinctive character — Article 7(1)(b) of Regulation (EC) No 207/2009)*

(2011/C 160/34)

Language of the case: French

**Parties**

*Applicant:* Air France (Roissy-en-France, France) (represented by: A. Grolée, lawyer)

*Defendant:* Office for Harmonisation in the Internal Market (Trade Marks and Designs) (represented by: A. Folliard-Monguiral)

**Re:**

Action brought against the decision of the Second Board of Appeal of OHIM of 27 January 2010 (Case R 1018/2009-2) concerning an application for registration of a sign representing a parallelogram as a Community trade mark.

**Operative part of the judgment**

*The Court:*

1. Dismisses the action;
2. Orders Air France to pay the costs.

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<sup>(1)</sup> OJ C 161, 19.6.2010.

**Judgment of the General Court of 13 April 2011 — Zitro IP v OHIM — Show Ball Informática (BINGO SHOWALL)**

(Case T-179/10) <sup>(1)</sup>

*(Community trade mark — Opposition proceedings — Application for Community word mark BINGO SHOWALL — Earlier figurative Community trade mark SHOW BALL — Relative ground for refusal — Likelihood of confusion — Similarity of the signs — Article 8(1)(b) of Regulation (EC) No 207/2009)*

(2011/C 160/35)

Language of the case: Spanish

**Parties**

*Applicant:* Zitro IP Sàrl (Luxembourg, Luxembourg) (represented by: A. Canela Giménez, lawyer)

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

*Other party to the proceedings before the Board of Appeal of OHIM:* Show Ball Informática Ltda (São Paulo, Brazil)

**Re:**

Action brought against the decision of the Second Board of Appeal of OHIM of 9 February 2010 (Case R 666/2009-2) concerning opposition proceedings between Zitro IP Sàrl and Show Ball Informática Ltda

**Operative part of the judgment**

*The Court:*

1. Dismisses the action;
2. Orders Zitro IP Sàrl to pay the costs.

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<sup>(1)</sup> OJ C 161, 19.6.2010.

**Order of the President of the General Court of 18 March 2011 — Westfälisch-Lippischer Sparkassen- und Giroverband v Commission**

(Case T-457/09 R)

*(Interim procedure — Authorisation of State aid for the restructuring of a bank — Abandonment of a branch as a compensatory indemnity — Urgency — Weighing up of the interests)*

(2011/C 160/36)

Language of the case: German

**Parties**

*Applicant:* Westfälisch-Lippischer Sparkassen- und Giroverband (Münster, Germany) (represented by: A. Rosenfeld and I. Liebach, lawyers)

*Defendant:* European Commission (represented by: L. Flynn, B. Martenczuk and T. Maxian Rusche, acting as Agents)

**Re:**

Application for stay of execution of Article 2(1), read in conjunction with points 5.4, 5.7 and 6.7 in the Annex to Commission Decision C(2009) 3900 final corr. of 12 May 2009, in Case C-43/2008 (ex N 390/2008) concerning restructuring aid that the German authorities intend to implement for WestLB AG, reading that decision in conjunction with Commission Decision C(2010) 9525 final of 21 December 2010 in State aid Cases MC 8/2009 and C-43/2009 — Germany — WestLB, to the extent that it follows therefrom that new operations by the Westdeutsche Immobilien Bank AG must be terminated after 15 February 2011.

**Operative part of the order**

1. The application for interim measures is dismissed.
2. The order of 31 January 2011 in Case T-457/09 R Westfälisch-Lippischer Sparkassen- und Giroverband v Commission is rescinded.