

Other party to the proceedings before the Board of Appeal of OHIM: TofuTown.com GmbH (Wiesbaum, Germany) (represented by: B. Krause and F. Cordt, lawyers)

Re:

Action brought against the decision of the Fourth Board of Appeal of OHIM of 7 January 2010 (Case R 63/2009-4) concerning opposition proceedings between Meica Ammerländische Fleischwarenfabrik Fritz Meinen GmbH & Co KG and TofuTown.com GmbH.

Operative part of the judgment:

The Court:

1. Annuls the decision of the Fourth Board of Appeal of the Office for Harmonisation in the Internal Market (Trade Marks and Designs) (OHIM) of 7 January 2010 (Case R 63/2009-4);
2. Orders OHIM to bear its own costs and those incurred by Meica Ammerländische Fleischwarenfabrik Fritz Meinen GmbH & Co KG;
3. Orders TofuTown.com GmbH to bear its own costs.

(¹) OJ C 113, 1.5.2010.

Judgment of the General Court of 22 September 2011 — ara v OHIM — Allrounder (A with two rectangular motifs)

(Case T-174/10) (¹)

(Community trade mark — Opposition procedure — International registration covering the European Community — Figurative mark A with two triangular motifs — Earlier national word mark A — Relative ground for refusal — No likelihood of confusion — Article 8(1)(b) of Regulation (EC) No 207/2009)

(2011/C 319/36)

Language of the case: French

Parties

Applicant: ara AG (Langenfeld, Germany) (represented initially by M. Gial, then by M. Gial and H. Pernez, lawyers)

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

Other party to the proceedings before the Board of Appeal of OHIM, intervener before the General Court: Allrounder SARL (Sarrebouurg, France) (represented by: N. Boespflug, lawyer)

Re:

Action brought against the decision of the First Board of Appeal of OHIM of 26 January 2010 (Case R 481/2009-1) concerning opposition proceedings between ara AG and Allrounder SARL.

Operative part of the judgment

The Court:

1. Dismisses the action;

2. Orders ara AG to pay the costs.

(¹) OJ C 179, 3.7.2010.

Judgment of the General Court of 20 September 2011 — Couture Tech v OHIM (Representation of the Soviet coat of arms)

(Case T-232/10) (¹)

(Community trade mark — Application for a Community figurative mark representing the Soviet coat of arms — Absolute ground for refusal — Whether contrary to public policy or accepted principles of morality — Article 7(1)(f) of Regulation (EC) No 207/2009)

(2011/C 319/37)

Language of the case: English

Parties

Applicant: Couture Tech Ltd (Tortola, British Virgin Islands) (represented by: B. Whyatt, Barrister)

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

Re:

Action brought against the decision of the Second Board of Appeal of OHIM of 5 March 2010 (Case R 1509/2008-2) concerning an application for registration of a figurative sign representing the Soviet coat of arms as a Community trade mark.

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders Couture Tech Ltd to pay the costs.

(¹) OJ C 195, 17.7.2010.

Judgment of the General Court of 21 September 2011 — Nike International v OHIM (DYNAMIC SUPPORT)

(Case T-512/10) (¹)

(Community trade mark — Application for Community word mark DYNAMIC SUPPORT — Absolute ground for refusal — Descriptive character — Article 7(1)(c) of Regulation (EC) No 207/2009)

(2011/C 319/38)

Language of the case: English

Parties

Applicant: Nike International Ltd (Beaverton, Oregon, United States of America) (represented by: M. de Justo Bailey, lawyer)

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