

Defendant: Office for Harmonisation in the Internal Market (Trade Marks and Designs) (OHIM) (represented initially by C. Jenewein, then by G. Schneider and D. Walicka, agents)

Other party to the proceedings before the Board of Appeal of OHIM: Abbott Laboratories (Abbot Park, Illinois, USA)

Re:

Action brought against the decision of the Fourth Board of Appeal of OHIM of 24 July 2009 (Case R 1234/2008-4) concerning opposition proceedings between Abbott Laboratories and Retractable Technologies, Inc.

Operative part of the judgment

The Court:

1. Dismisses the action.
2. Orders Retractable Technologies to pay the costs.

(¹) OJ C 282, 21.11.2009.

Judgment of the General Court of 24 May 2012 — Grupo Osborne v OHIM — Industria Licorera Quezalteca (TORO XL)

(Case T-169/10) (¹)

(Community trade mark — Opposition proceedings — Application for Community word mark TORO XL — Early Community figurative mark XL — Relative ground for refusal — Article 8(1)(b) of Regulation No 207/2009 — No likelihood of confusion)

(2012/C 200/22)

Language of the case: Spanish

Parties

Applicant: Grupo Osborne, SA (El Puerto de Santa Maria, Spain) (represented by: J.M. Iglesias Monravá, lawyer)

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

Other party to the proceedings before the Board of Appeal of OHIM: Industria Licorera Quezalteca, SA (Quetzal Tenango, Guatemala)

Re:

Action brought against the decision of the second Board of Appeal of OHIM of 22 January 2010 (Case R 223/2009-2) concerning opposition proceedings between Industria Licorera Quezalteca, SA and Grupo Osborne, SA.

Operative part of the judgment

The Court:

1. Annuls the decision of the second Board of Appeal of the Office for Harmonisation in the Internal Market (Trade Marks and Designs) (OHIM) of 22 January 2010 (Case R 223/2009-2).
2. Orders OHIM to pay the costs.

(¹) OJ C 148, 5.6.2010.

Judgment of the General Court of 25 May 2012 — Nike International v OHIM — Intermar Simanto Nahmias (JUMPMAN)

(Case T-233/10) (¹)

(Community trade mark — Opposition proceedings — Application for Community word mark JUMPMAN — Earlier national word mark JUMP — Relative ground for refusal — Likelihood of confusion — Article 8(1)(b) of Regulation (EC) No 207/2009)

(2012/C 200/23)

Language of the case: English

Parties

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

Defendant: Office for Harmonisation in the Internal Market (Trade Marks and Designs) (represented by: P. Geroulakos, acting as Agent)

Other party to the proceedings before the Board of Appeal of OHIM, intervener before the General Court: Intermar Simanto Nahmias (Çatalca-Istanbul, Turkey) (represented by: J. Güell Serra and M. Curell Aguilà, lawyers)

Re:

Action brought against the decision of the First Board of Appeal of OHIM of 11 March 2010 (Case R 738/2009-1), concerning opposition proceedings between Intermar Simanto Nahmias and Nike International Ltd.

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders Nike International Ltd to pay the costs.

(¹) OJ C 195, 17.7.2010.