

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

Other party to the proceedings before the Board of Appeal of OHIM, intervener before the General Court: Austria Leasing GmbH (Eschborn, Germany) (represented by: B. Joachim, lawyer)

Re:

Action brought for the annulment of the decision of the First Board of Appeal of OHIM of 3 February 2010 (Case R 248/2009-1), relating to opposition proceedings between the Bundesverband der Deutschen Volksbanken und Raiffeisenbanken e.V. (BVR) and Austria Leasing GmbH.

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders the Bundesverband der Deutschen Volksbanken und Raiffeisenbanken e.V. (BVR) to pay the costs.

⁽¹⁾ OJ C 179, 3.7.2010.

Judgment of the General Court of 9 September 2011 — DRV v OHIM — Austria Leasing (Austria Leasing Gesellschaft m.b.H. Mitglied der Raiffeisen-Bankengruppe Österreich)

(Case T-199/10) ⁽¹⁾

(Community trade mark — Opposition Proceedings — Application for Community figurative mark Austria Leasing Gesellschaft m.b.H Mitglied der Raiffeisen-Bankengruppe Österreich — Earlier national figurative mark Raiffeisen — No likelihood of confusion — Article 8(1)(b) of Regulation (EC) No 207/2009)

(2011/C 311/81)

Language of the case: German

Parties

Applicant: Deutscher Raiffeisenverband e.V. (DRV) (Bonn, Germany) (represented by: I. Rinke, lawyer)

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

Other party to the proceedings before the Board of Appeal of OHIM, intervener before the General Court: Austria Leasing GmbH (Eschborn, Germany) (represented by: B. Joachim, lawyer)

Re:

Action brought for the annulment of the decision of the First Board of Appeal of OHIM of 3 February 2010 (Case R 253/2009-1), relating to opposition proceedings between Deutscher Raiffeisenverband e.V. (DRV) and Austria Leasing GmbH.

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders Deutscher Raiffeisenverband e.V. (DRV) to pay the costs.

⁽¹⁾ OJ C 179, 3.7.2010.

Judgment of the General Court of 14 September 2011 — K-Mail Order v OHIM — IVKO (MEN'Z)

(Case T-279/10) ⁽¹⁾

(Community trade mark — Opposition proceedings — Application for Community figurative mark MEN'Z — Prior trade name WENZ — Relative ground for refusal — Local range of the earlier sign — Article 8(4) and Article 41(1)(c) of Regulation (EC) No 207/2009)

(2011/C 311/82)

Language of the case: German

Parties

Applicant: K-Mail Order GmbH & Co. KG (Pforzheim, Germany) (represented by: T. Zeiher and G. Stallecker, lawyers)

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

Other party to the proceedings before the Board of Appeal of OHIM: IVKO Industrieprodukt-Vertriebskontakt GmbH (Baar-Wanderath, Germany)

Re:

Action brought against the decision of the First Board of Appeal of OHIM of 30 March 2010 (Case R 746/2009-1) concerning opposition proceedings between Wenz GmbH and IVKO Industrieprodukt-Vertriebskontakt GmbH

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders K-Mail Order GmbH & Co. KG to pay the costs.

⁽¹⁾ OJ C 234, 28.8.2010.

Action brought on 28 July 2011 — Hemofarm v OHIM — Laboratorios Diafarm (HEMOFARM)

(Case T-411/11)

(2011/C 311/83)

Language in which the application was lodged: Spanish

Parties

Applicant: Hemofarm AD farmaceutsko-hemijska industrija Vršac (Vršac, Serbia) (represented by: D. Cañadas Arcas)