

**Judgment of the General Court of 21 June 2012 — Fruit of the Loom v OHIM — Blueshore Management (FRUIT)**

(Case T-514/10) <sup>(1)</sup>

**(Community trade mark — Revocation proceedings — Community word mark FRUIT — Non-use — Article 15(1)(a) and Article 51(1)(a) of Regulation (EC) No 207/2009)**

(2012/C 227/28)

Language of the case: English

**Parties**

**Applicant:** Fruit of the Loom, Inc. (Bowling Green, Kentucky, United States) (represented by: S. Malynicz, Barrister, and V. Marsland, Solicitor)

**Defendant:** Office for Harmonisation in the Internal Market (Trade Marks and Designs) (represented by: initially by S. Schöffner, subsequently by G. Schneider, subsequently by D. Botis, and finally by J. Crespo Carrillo, acting as Agents)

**Other party to the proceedings before the Board of Appeal of OHIM intervening before the General Court:** Blueshore Management SA (Cernusco Sul Naviglio, Italy) (represented by: S. Corona and G. Ciccone, lawyers)

**Re:**

Action brought against the decision of the Fourth Board of Appeal of OHIM of 30 August 2010 (Case R 1686/2008-4) concerning revocation proceedings between Blueshore Management SA and Fruit of the Loom, Inc.

**Operative part of the judgment**

*The Court:*

1. Dismisses the action;
2. Orders Fruit of the Loom, Inc. to bear its own costs and to pay those incurred by OHIM;
3. Orders Blueshore Management SA to bear its own costs.

<sup>(1)</sup> OJ C 13, 15.1.2011.

**Judgment of the General Court of 19 June 2012 — H.Eich v OHIM — Arav (H.EICH)**

(Case T-557/10) <sup>(1)</sup>

**(Community trade mark — Opposition proceedings — Application for Community word mark H.EICH — Earlier national figurative mark H SILVIAN HEACH — Relative ground for refusal — Likelihood of confusion — Article 8(1)(b) of Regulation (EC) No 207/2009)**

(2012/C 227/29)

Language of the case: Italian

**Parties**

**Applicant:** H.Eich Srl (Signa, Italy) (represented by: D. Mainini, T. Rubin, A. Masetti Zannini de Concina, M. Bucarelli, G. Petrocchi and B. Passaretti, lawyers)

**Defendant:** Office for Harmonisation in the Internal Market (Trade Marks and Designs) (represented by: G. Mannucci and R. Pethke, Agents)

**Other party to the proceedings before the Board of Appeal of OHIM, intervener before the General Court:** Arav Holding Srl (Palma Campania, Italy) (represented by: R. Bocchini, lawyer)

**Re:**

Action brought against the decision of the First Board of Appeal of OHIM of 9 September 2010 (Case R 1411/2009-1) concerning opposition proceedings between Arav Holding Srl and H.Eich Srl.

**Operative part of the judgment**

*The Court:*

1. Annuls the decision of the First Board of Appeal of the Office for Harmonisation in the Internal Market (Trade Marks and Designs) (OHIM) of 9 September 2010 (Case R 1411/2009-1);
2. Orders OHIM to bear its own costs and pay those incurred by H.Eich Srl in the proceedings before the General Court;
3. Orders OHIM to pay the costs necessarily incurred for the purposes of the proceedings before the First Board of Appeal;
4. Orders Arav Holding Srl to bear its own costs.

<sup>(1)</sup> OJ C 30, 29.1.2011.

**Judgment of the General Court of 19 June 2012 — Arango Jaramillo and Others v EIB**

(Case T-234/11 P) <sup>(1)</sup>

**(Appeals — Staff cases — EIB staff — Pensions — Contribution to the pension scheme — Dismissal of the action at first instance as manifestly inadmissible — Period allowed for commencing proceedings — Lateness — Reasonable period of time)**

(2012/C 227/30)

Language of the case: French

**Parties**

**Appellants:** Oscar Orlando Arango Jaramillo (Luxembourg, Luxembourg) and the 34 other members of the staff of the European Investment Bank whose names appear in the Annex to the judgment (represented by: B. Cortese and C. Cortese, lawyers)

**Other party to the proceedings:** European Investment Bank (represented by: C. Gómez de la Cruz and T. Gilliams, acting as Agents, assisted by P.-E. Partsch, lawyer)