

3. *Orders the French Republic to bear its own costs.*

(¹) OJ C 80, 27.3.2010.

Judgment of the General Court of 6 July 2012 — Jackson International v OHIM — Royal Shakespeare (ROYAL SHAKESPEARE)

(Case T-60/10) (¹)

(Community trade mark — Invalidity proceedings — Community word mark ROYAL SHAKESPEARE — Earlier Community word mark RSC-ROYAL SHAKESPEARE COMPANY — Relative grounds for invalidity — Mark with a reputation — Article 53(1)(a) and Article 8(5) of Regulation (EC) No 207/2009 — Likelihood of association — Unfair advantage taken of the distinctive character or the repute of the earlier trade mark)

(2012/C 250/22)

Language of the case: English

Parties

Applicant: Jackson International Trading Co. Kurt D. Brühl GmbH & Co. KG (Graz, Austria) (represented by: H.-G. Zeiner and S. Di Natale, lawyers)

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

Other party to the proceedings before the Board of Appeal of OHIM, intervener before the General Court: The Royal Shakespeare Company (Warwickshire, United Kingdom) (represented by: C. Barnett, Solicitor, and S. Malynicz, Barrister)

Re:

Action brought against the decision of the First Board of Appeal of OHIM of 19 November 2009 (Case R 317/2009-1), concerning invalidity proceedings between The Royal Shakespeare Company and Jackson International Trading Co. Kurt D. Brühl GmbH & Co. KG.

Operative part of the judgment

The Court:

1. *Dismisses the action;*
2. *Orders Jackson International Trading Co. Kurt D. Brühl GmbH & Co. KG to pay the costs.*

(¹) OJ C 100, 17.4.2010.

Judgment of the General Court of 11 July 2012 — Laboratoire Garnier v OHIM (natural beauty)

(Case T-559/10) (¹)

(Community trade mark — Application for the Community figurative mark natural beauty — Absolute ground for refusal — Descriptive character — Article 7(1)(c) of Regulation (EC) No 207/2009)

(2012/C 250/23)

Language of the case: English

Parties

Applicant: Laboratoire Garnier et Cie (Paris, France) (represented: initially by R. Dissmann and A. Steegmann and subsequently by R. Dissmann, lawyers)

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

Re:

ACTION brought against the decision of the First Board of Appeal of OHIM of 23 September 2010 (Case R 971/2010-1) concerning registration of the figurative sign natural beauty as a Community trade mark

Operative part of the judgment

The Court:

1. *Dismisses the action;*
2. *Orders Laboratoire Garnier et Cie to pay the costs.*

(¹) OJ C 38, 5.2.2011.

Judgment of the General Court of 10 July 2012 — Interspeed v Commission

(Case T-587/10) (¹)

(Non-contractual liability — External relations — Call for tenders issued by the EAR concerning work at the Preševo (Serbia) border crossing, the financing of the works and other connected measures — No causal link)

(2012/C 250/24)

Language of the case: Slovenian

Parties

Applicant: Holding kompanija Interspeed a.d. (Belgrade, Serbia) (represented by: M. Bošnjak, lawyer)

Defendant: European Commission (represented by: F. Erlbacher and B. Rous, Agents)