

**Judgment of the General Court of 19 April 2013 —
Hultafors Group AB v OHIM — Società Italiana
Calzature (Snickers)**

(Case T-537/11) ⁽¹⁾

**(Community trade mark — Opposition proceedings — Appli-
cation for Community figurative mark Snickers — Earlier
national word mark KICKERS — Likelihood of confusion
— Article 8(1)(b) of Regulation (EC) No 207/2009)**

(2013/C 156/77)

Language of the case: English

Parties

Applicant: Hultafors Group AB (Bollebygd, Sweden) (represented by: A. Rasmussen and T. Swanström, lawyers)

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

Other party to the proceedings before the Board of Appeal of OHIM: Società Italiana Calzature SpA (Milan, Italy) (represented by: G. Cantaluppi, A. Rapisardi and C. Ginevra, lawyers)

Re:

Action brought against the decision of the Fourth Board of Appeal of OHIM of 9 August 2011 (Case R 2519/2010-4) relating to opposition proceedings between Società Italiana Calzature SpA and Hultafors Group AB

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders Hultafors Group AB to pay the costs incurred by the Office for Harmonisation in the Internal Market (Trade Marks and Designs) (OHIM) and by Società Italiana Calzature SpA in the proceedings before the General Court, and the costs incurred by Società Italiana Calzature SpA for the purposes of the proceedings before the Board of Appeal.

⁽¹⁾ OJ C 362, 10.12.2011.

**Order of the General Court of 9 April 2013 —
Zuckerfabrik Jülich v Commission**

(Case T-66/10) ⁽¹⁾

**(Agriculture — Sugar — Production levies — Partial
annulment and declaration of nullity of Regulation (EC) No
1193/2009 after the action was brought — No need to
adjudicate)**

(2013/C 156/78)

Language of the case: German

Parties

Applicant: Zuckerfabrik Jülich GmbH (formerly Zuckerfabrik Jülich AG) (Jülich, Germany) (represented by: H.-J. Prieß and B. Sachs, lawyers)

Defendant: European Commission (represented by: P. Rossi and B. Schima, acting as Agents)

Interveners in support of the applicant: Kingdom of Spain (represented initially by: F. Díez Moreno and subsequently by: A. Rubio González, abogados del Estado), and Republic of Lithuania (represented initially by: R. Janeckaitė and R. Krasuckaitė, and subsequently by: R. Krasuckaitė and R. Makevičienė, acting as Agents)

Re:

Annulment of Commission Regulation (EC) No 1193/2009 of 3 November 2009 correcting Regulations (EC) No 1762/2003, (EC) No 1775/2004, (EC) No 1686/2005, (EC) No 164/2007 and fixing the production levies in the sugar sector for marketing years 2002/2003, 2003/2004, 2004/2005, 2005/2006 (OJ 2009 L 321, p. 1)

Operative part of the order

1. There is no longer any need to adjudicate in the present action.
2. The European Commission shall bear its own costs and pay those of Zuckerfabrik Jülich GmbH.
3. The Kingdom of Spain and the Republic of Lithuania shall bear their own costs.

⁽¹⁾ OJ C 113, 1.5.2010.

**Order of the General Court of 9 April 2013 — British
Sugar v Commission**

(Case T-86/10) ⁽¹⁾

**(Agriculture — Sugar — Production levies — Annulment and
declaration of invalidity in part of Regulation (EC) No
1193/2009 after bringing of the action — No need to
adjudicate)**

(2013/C 156/79)

Language of the case: English

Parties

Applicants: British Sugar plc (London (United Kingdom)) (represented by: initially by K. Lasok QC, G. Facenna, Barrister, W. Robinson, P. Doris and D. Das, Solicitors, then by K. Lasok QC, G. Facenna, W. Robinson and D. Das)

Defendant: European Commission (represented by: K. Banks and P. Rossi, Agents)

Interveners in support of the applicants: Kingdom of Spain (represented: initially by F. Díez Moreno, then by A. Rubio González, abogados del Estado); and Republic of Lithuania (represented by: R. Janeckaitė and R. Krasuckaitė, Agents)

Interveners in support of the defendant: Republic of Latvia (represented by: K. Drēviņa and K. Krasovska, Agents); and United Kingdom of Great Britain and Northern Ireland (represented: initially by S. Behzadi-Spencer and S. Hathaway, and then by Behzadi-Spencer and A. Robinson, Agents)

Re:

Application for annulment of Commission Regulation (EC) No 1193/2009 of 3 November 2009 correcting Regulations (EC) No 1762/2003, (EC) No 1775/2004, (EC) No 1686/2005, (EC) No 164/2007 and fixing the production levies in the sugar sector for marketing years 2002/2003, 2003/2004, 2004/2005, 2005/2006 (OJ 2009 L 321, p. 1)

Operative part of the order

1. *There is no need to adjudicate on this action.*
2. *The European Commission shall bear its own costs and pay the costs of British Sugar plc.*
3. *The Kingdom of Spain, the Republic of Latvia, the Republic of Lithuania, and the United Kingdom of Great Britain and Northern Ireland shall bear their own costs.*

⁽¹⁾ OJ C 113, 1.5.2010.

Order of the General Court of 9 April 2013 — Südzucker and Others v Commission

(Case T-102/10) ⁽¹⁾

(Agriculture — Sugar — Production levies — Partial annulment and declaration of nullity of Regulation (EC) No 1193/2009 after the action was brought — No need to adjudicate)

(2013/C 156/80)

Language of the case: German

Parties

Applicants: Südzucker AG Mannheim/Ochsenfurt (Mannheim, Germany); Agrana Zucker GmbH (Vienna, Austria); Südzucker Polska S.A. (Wrocław, Poland); Raffinerie tirlémontoise (Brussels, Belgium) and Saint Louis Sucre SA (Paris, France) (represented by: H.-J. Prieß and B. Sachs, lawyers)

Defendant: European Commission (represented by: P. Rossi and B. Schima, acting as Agents)

Interveners in support of the applicant: Kingdom of Spain (represented initially by: F. Diez Moreno and subsequently by: A. Rubio González, abogados del Estado), and Republic of Lithuania (represented initially by: R. Janeckaitė and R. Krasuckaitė, and subsequently by: R. Krasuckaitė and R. Makevičienė, acting as Agents)

Intervener in support of the defendant: United Kingdom of Great Britain and Northern Ireland (represented initially by: S. Behzadi-Spencer and S. Hathaway and subsequently by S. Behzadi-Spencer and A. Robinson, acting as Agents)

Re:

Annulment of Commission Regulation (EC) No 1193/2009 of 3 November 2009 correcting Regulations (EC) No 1762/2003, (EC) No 1775/2004, (EC) No 1686/2005, (EC) No 164/2007 and fixing the production levies in the sugar sector for marketing years 2002/2003, 2003/2004, 2004/2005, 2005/2006 (OJ 2009 L 321, p. 1)

Operative part of the order

1. *There is no longer any need to adjudicate in the present action.*
2. *The European Commission shall bear its own costs and pay those of Südzucker AG Mannheim/Ochsenfurt, Agrana Zucker GmbH, Südzucker Polska S.A., Raffinerie tirlémontoise and Saint Louis Sucre SA.*
3. *The Kingdom of Spain, the United Kingdom of Great Britain and Northern Ireland and the Republic of Lithuania shall bear their own costs.*

⁽¹⁾ OJ C 113, 1.5.2010.

Order of the General Court of 11 April 2013 — Tridium v OHIM — q-bus Mediatektur (SEDONA FRAMEWORK)

(Case T-467/12) ⁽¹⁾

(Community trade mark — Opposition — Withdrawal of the opposition — No need to adjudicate)

(2013/C 156/81)

Language of the case: English

Parties

Applicant: Tridium, Inc. (Richmond, Virginia, United States) (represented by: M. Nentwig, 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: q-bus Mediatektur GmbH (Berlin, Germany) (represented by: M.-T. Schott, lawyer)

Re:

Action brought against the decision of the Second Board of Appeal of OHIM of 2 August 2012 (Case R 1943/2011-2) concerning opposition proceedings between q-bus Mediatektur GmbH and Tridium, Inc.