

**Operative part of the judgment**

The General Court:

1. Annuls the decision of the Fourth Board of Appeal of the Office for Harmonisation in the Internal Market (Trade Marks and Designs) (OHIM) of 15 July 2010 (Case R 1638/2008-4);
2. Orders OHIM to bear its own costs and to pay the costs of Dosenbach-Ochsner AG Schuhe und Sport;
3. Orders Sisma SpA to bear its own costs.

(<sup>1</sup>) OJ C 317, 20.11.2010.

**Judgment of the General Court of 2 February 2012 — Almunia Textil v OHIM — FIBA-Europe (EuroBasket)**

(Case T-596/10) (<sup>1</sup>)

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

(2012/C 80/29)

Language of the case: German

**Parties**

**Applicant:** Almunia Textil, SA (La Almunia de Doña Godina, Spain) (represented by: J.E. Astiz Suárez, lawyer)

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

**Other party to the proceedings before the Board of Appeal of OHIM:** FIBA-Europe eV (Munich, Germany) (represented by: T. Hogh Holub, lawyer)

**Re:**

Action brought against the decision of the First Board of Appeal of OHIM of 6 October 2010 (Case R 280/2010-1) concerning opposition proceedings between Almunia Textil, SA and FIBA-Europe eV.

**Operative part of the judgment**

The Court:

1. Dismisses the action;
2. Orders Almunia Textil, SA to bear its own costs and to pay the costs incurred by the Office for Harmonisation in the Internal Market (Trade Marks and Designs) (OHIM) and FIBA-Europe eV including, in respect of the latter, the unavoidable costs incurred for the purposes of the proceedings before the Board of Appeal.

(<sup>1</sup>) OJ C 80, 12.3.2011.

**Judgment of the General Court of 7 February 2012 — Run2Day Franchise v OHIM — Runners Point (Run2)**

(Case T-64/11) (<sup>1</sup>)

**(Community trade mark — Opposition proceedings — Application for Community figurative mark Run2 — Earlier Community word and figurative marks RUN2DAY — Earlier BENELUX figurative mark RUN2DATE — Relative ground for refusal — Likelihood of confusion — Similarity of the signs — Article 8(1)(b) of Regulation (EC) No 207/2009)**

(2012/C 80/30)

Language of the case: German

**Parties**

**Applicant:** Run2Day Franchise BV (Utrecht, Netherlands) (represented by: H. Koenraad, lawyer)

**Defendant:** Office for Harmonisation in the Internal Market (Trade Marks and Designs) (represented by: A. Pohlmann, agent)

**Other party to the proceedings before the Board of Appeal of OHIM intervening before the General Court:** Runners Point Warenhandels GmbH (Recklinghausen, Germany) (represented by: H. Prange, lawyer)

**Re:**

Appeal brought against the decision of the First Board of Appeal of OHIM of 11 November 2010 (Case R 349/2010-1) concerning opposition proceedings between Run2Day Franchise BV and Runners Point Warenhandels GmbH.

**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 11 November 2010 (Case R 349/2010-1);
2. Orders OHIM and Runners Point Warenhandels GmbH to pay, apart from their own costs, those incurred by Run2Day Franchise BV.

(<sup>1</sup>) OJ C 89, 19.3.2011.

**Order of the General Court of 20 January 2012 — Groupe Partouche v Commission**

(Case T-315/10) (<sup>1</sup>)

**(Action for annulment — Concentrations — Decision declaring the concentration compatible with the common market — Article 44(1)(c) of the Rules of Procedure of the General Court — Inadmissibility)**

(2012/C 80/31)

Language of the case: French

**Parties**

**Applicant:** Groupe Partouche (Paris, France) (represented by: J.-J. Sebag, lawyer)