

**Re:**

Action brought against the decision of the Fourth Board of Appeal of OHIM of 21 September 2010 (Case R 708/2010-4) relating to invalidity proceedings between Janssen-Cilag GmbH and Kessel Marketing & Vertriebs GmbH.

**Operative part of the judgment**

The 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 21 September 2010 (Case R 708/2010-4);
2. Orders OHIM to bear its own costs and to pay those incurred by Kessel Marketing & Vertriebs GmbH;
3. Orders Janssen-Cilag GmbH to bear its own costs.

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

**Judgment of the General Court of 14 November 2013 —  
Europol v Kalmár**

(Case T-455/11) (<sup>1</sup>)

**(Appeal — Civil service — Europol staff — Fixed-term contracts — Dismissal — Statement of reasons — Rights of the defence — Financial compensation)**

(2013/C 377/27)

Language of the case: Dutch

**Parties**

**Appellant:** European Police Office (Europol) (represented by: D. Neumann, D. El Houry and J. Arnould, acting as Agents, and D. Waelbroeck and E. Antypas, lawyers)

**Other party to the proceedings:** Andreas Kalmár (Vienna, Austria) (represented by: D. Coppens, lawyer)

**Re:**

Appeal brought against the judgment of the Civil Service Tribunal of the European Union (Second Chamber) of 26 May 2011 in Case F-83/09 *Kalmár v Europol*, not yet published in the ECR, and seeking to have that judgment set aside in part.

**Operative part of the judgment**

The Court:

1. Dismisses the appeal;
2. Orders the European Police Office (Europol) to bear its own costs and to pay those incurred by Mr Andreas Kalmár in the present proceedings.

(<sup>1</sup>) OJ C 290, 1.10.2011.

**Judgment of the General Court of 14 November 2013 —  
International Cadmium Association (ICdA) and Others v  
European Commission**

(Case T-456/11) (<sup>1</sup>)

**(REACH — Transitional measures concerning the restrictions on the manufacture, marketing and use of cadmium and its compounds — Annex XVII to Regulation (EC) No 1907/2006 — Restrictions on the use of cadmium pigments in plastic materials — Manifest error of assessment — Risk analysis)**

(2013/C 377/28)

Language of the case: English

**Parties**

**Applicants:** International Cadmium Association (ICdA), established in Brussels (Belgium), Rockwood Pigments (UK) Ltd, established in Stoke-on-Trent (United Kingdom), James M Brown Ltd, established in Stoke-on-Trent (represented by: K. Van Maldegem and R. Cana, lawyers, and subsequently by R. Cana,)

**Defendant:** European Commission (represented: initially by P. Oliver and E. Manhaeve, acting as Agents, assisted by K. Sawyer, barrister, and subsequently by P. Oliver and E. Manhaeve,)

**Re:**

Application for partial annulment of Commission Regulation (EU) No 494/2011 of 20 May 2011 amending Regulation (EC) No 1907/2006 of the European Parliament and of the Council on the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) as regards Annex XVII (Cadmium) (OJ 2011 L 134, p. 2), in so far as it established restrictions on the use of cadmium in plastic materials other than those in respect of which that use was restricted before the adoption of Regulation No 494/2011

**Operative part of the judgment**

The Court:

1. Annuls Commission Regulation (EU) No 494/2011 of 20 May 2011 amending Regulation (EC) No 1907/2006 of the European Parliament and of the Council on the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) as regards Annex XVII (Cadmium) in so far as it restricts the use of cadmium sulpho-selenide orange (No CAS 1256-57-4), cadmium sulpho-selenide red (No CAS 58339-34-7) and cadmium zinc sulphide (No CAS 8048 07-5) in mixtures and articles produced from synthetic organic polymers other than those in respect of which that use was restricted before the adoption of Regulation No 494/2011;
2. Dismisses the action as to the remainder;
3. Orders the European Commission to bear 90 % of its own costs and to pay 90 % of the costs incurred by International Cadmium Association (ICdA), Rockwood Pigments (UK) Ltd and James M Brown Ltd;