

**Judgment of the General Court of 13 November 2012 —  
tesa v OHIM — Superquímica (tesa TACK)**

(Case T-555/11) <sup>(1)</sup>

**(Community trade mark — Opposition proceedings — Application for Community figurative mark tesa TACK — Earlier national figurative mark TACK Ceys — Relative ground for refusal — Likelihood of confusion — Similarity of the signs — Article 8(1)(b) of Regulation (EC) No 207/2009)**

(2012/C 399/37)

Language of the case: English

**Parties**

*Applicant:* tesa SE (Hamburg, Germany) (represented by: F. Schwab, lawyer)

*Defendant:* Office for Harmonisation in the Internal Market (Trade Marks and Designs) (represented by: A. Folliard-Monguiral and Ó. Mondéjar Ortuño, acting as Agents)

*Other party to the proceedings before the Board of Appeal of OHIM, intervener before the General Court:* La Superquímica, SA (L'Hospitalet de Llobregat, Spain) (represented by: A. Canela Giménez, lawyer)

**Re:**

Action brought against the decision of the First Board of Appeal of OHIM of 5 July 2011 (Case R 866/2010-1) relating to opposition proceedings between La Superquímica, SA and tesa SE.

**Operative part of the judgment**

*The Court:*

1. Dismisses the action;
2. Orders tesa SE to pay the costs.

<sup>(1)</sup> OJ C 6, 7.1.2012.

**Order of the General Court of 24 October 2012 —  
Harman International Industries, Inc. v OHIM — Becker  
(Barbara Becker)**

(Case T-212/07 REV) <sup>(1)</sup>

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

(2012/C 399/38)

Language of the case: English

**Parties**

*Applicant:* Harman International Industries, Inc. (Northridge, California, United States) (represented by: M. Vanhegan, barrister)

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

*Other party to the proceedings before the Board of Appeal of OHIM intervening before the General Court:* Barbara Becker (Miami, Florida, United States) (represented by: P. Baronikians, lawyer)

**Re:**

Action brought against the decision of the First Board of Appeal of OHIM of 7 March 2007 (Case R 502/2006-1), relating to opposition proceedings between Harman International Industries, Inc. and Barbara Becker.

**Operative part of the order**

1. There is no longer any need to adjudicate on the action.
2. The applicant and the intervener are ordered to bear their own costs and to each pay half of the costs incurred by the defendant.

<sup>(1)</sup> OJ C 183, 4.8.2007.

**Order of the General Court of 23 October 2012 — Chivas  
v OHIM — Glencairn Scotch Whisky (CHIVAS LIVE WITH  
CHIVALRY)**

(Case T-180/11) <sup>(1)</sup>

**(Community trade mark — Opposition — Opposition withdrawn — No need to adjudicate)**

(2012/C 399/39)

Language of the case: English

**Parties**

*Applicant:* Chivas Holdings (IP) Ltd (Paisley, Renfrewshire, United Kingdom) (represented by: A. Carboni, lawyer)

*Defendant:* Office for Harmonisation in the Internal Market (Trade Marks and Designs) (represented by: A. Folliard-Monguiral, Agent)

*Other party to the proceedings before the Board of Appeal of OHIM intervening before the General Court:* Glencairn Scotch Whisky Co. Ltd (Glasgow, United Kingdom) (represented by: K. Lumsdaine, Solicitor)

**Re:**

Action brought against the decision of the First Board of Appeal of OHIM of 12 January 2011 (Case R 1262/2010-1) concerning opposition proceedings between Glencairn Scotch Whisky Co. Ltd and Chivas Holdings (IP) Ltd.