

Defendant: Council of the European Union (represented by: J.-P. Hix, acting as Agent, assisted by G. Berrisch and A. Polcyn, lawyers)

Intervener in support of the defendant: European Commission (represented by: E. Gippini Fournier and H. van Vliet, acting as Agents)

Re:

Application for annulment of Council Implementing Regulation (EU) No 464/2011 of 11 May 2011 imposing a definitive anti-dumping duty and collecting definitively the provisional duty imposed on imports of zeolite A powder originating in Bosnia and Herzegovina (OJ 2011 L 125, p. 1), in so far as it concerns the applicant

Operative part of the judgment

The Court:

1. Annuls Council Implementing Regulation (EU) No 464/2011 of 11 May 2011 imposing a definitive anti-dumping duty and collecting definitively the provisional duty imposed on imports of zeolite A powder originating in Bosnia and Herzegovina, in so far as it concerns Alumina d.o.o.;
2. Orders the Council of the European Union to bear its own costs and to pay the costs incurred by Alumina;
3. Orders the European Commission to bear its own costs.

(¹) OJ C 226, 30.7.2011.

Judgment of the General Court of 30 April 2013 — Boehringer Ingelheim International v OHIM (RELY-ABLE)

(Case T-640/11) (¹)

(Community trade mark — International registration designating the European Community — Word mark RELY-ABLE — Absolute ground for refusal — Lack of distinctive character — Article 7(1)(b) of Regulation (EC) No 207/2009 — Ground included for sake of completeness)

(2013/C 171/52)

Language of the case: English

Parties

Applicant: Boehringer Ingelheim International GmbH (Ingelheim am Rhein, Germany) (represented by: V. von Bomhard, A. Renck and C. Steudtner, lawyers)

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

Re:

Action brought against the decision of the Fourth Board of Appeal of OHIM of 30 September 2011 (Case R 756/2011-4) concerning the international registration designating the European Community of the word sign RELY-ABLE.

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders Boehringer Ingelheim International GmbH to pay the costs.

(¹) OJ C 58, 25.2.2012.

Judgment of the General Court of 30 April 2013 — ABC-One v OHMI (SLIM BELLY)

(Case T-61/12) (¹)

(Community trade mark — Application for Community word mark SLIM BELLY — Absolute ground for refusal — Descriptive character — Article 7(1)(c) of Regulation (EC) No 207/2009)

(2013/C 171/53)

Language of the case: German

Parties

Applicant: ABC-One Produktions- und Vertriebs GmbH (Villach St Magdalen, Austria) (represented by: S. Merz, lawyer)

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

Re:

Action brought against the decision of the First Board of Appeal of OHIM of 17 November 2011 (Case R 1077/2011-1), concerning an application for registration of the word sign SLIM BELLY as a Community trade mark

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders ABC-One Produktions- und Vertriebs GmbH to pay the costs.

(¹) OJ C 98, 31.3.2012.