

GENERAL COURT

Order of the General Court of 4 July 2013 — Just Music Fernsehbetriebs GmbH v OHIM — France Télécom (Jukebox)

(Case T-589/10) ⁽¹⁾

(Community trade mark — Opposition proceedings — Revocation of the earlier Community mark — No need to adjudicate)

(2013/C 260/72)

Language of the case: English

Parties

Applicant: Just Music Fernsehbetriebs GmbH (Landshut, Germany) (represented by: T. Kaus, 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, intervening before the General Court: France Télécom (Paris, France) (represented by: C. Bertheux Scotte, lawyer)

Re:

Action brought against the decision of the First Board of Appeal of OHIM of 14 October 2010 (Case R 1408/2009-1), concerning opposition proceedings between France Télécom and Just Music Fernsehbetriebs GmbH.

Operative part

1. There is no longer any need to adjudicate on the action.
2. Just Music Fernsehbetriebs GmbH and France Télécom shall bear their own costs and shall each pay half of the costs incurred by the Office for Harmonisation in the Internal Market (Trade Marks and Designs) (OHIM).

⁽¹⁾ OJ C 72, 5.3.2011.

Order of the General Court of 8 July 2013 — Nutrichem Diät + Pharma v OHIM — Gervais Danone (Active)

(Case T-414/11) ⁽¹⁾

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

(2013/C 260/73)

Language of the case: German

Parties

Applicant: Nutrichem Diät + Pharma GmbH (Roth, Germany) (represented by: D. Jochim and R. Egerer, lawyers)

Defendant: Office for Harmonisation in the Internal Market (Trade Marks and Designs) (represented initially by K. Klüpfel and subsequently by D. Walicka, Agents)

Other party to the proceedings before the Board of Appeal of OHIM intervening before the General Court: Compagnie Gervais Danone (Levallois Perret, France) (represented by: M. de Justo Bailey, lawyer)

Re:

Action brought against the decision of the First Board of Appeal of OHIM of 4 May 2011 (Case R 683/2010-1), concerning opposition proceedings between Nutrichem Diät + Pharma GmbH and Compagnie Gervais Danone.

Operative part of the order

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

⁽¹⁾ OJ C 298, 8.10.2011.