

Re:

Request for preliminary ruling — Tribunale Amministrativo Regionale per il Lazio — Interpretation of Article 12 of Directive 2002/20/EC of the European Parliament and of the Council of 7 March 2002 on the authorisation of electronic communications networks and services ('the Authorisation Directive') (OJ 2002 L 108, p. 21) — Administrative charges imposed on undertakings — Legislation providing that the national regularity authorities' costs which are not financed by the State are to be imposed upon individual undertakings in the sector concerned according to the income they generate in respect of the sale of goods or the provision of relevant services

Operative part of the order

Article 12 of Directive 2002/20/EC of the European Parliament and of the Council of 7 March 2002 on the authorisation of electronic communications networks and services ('the Authorisation Directive') must be interpreted as meaning that it does not preclude legislation of a Member State, such as that at issue in the main proceedings, pursuant to which undertakings providing electronic communications services or networks are liable to pay a charge intended to cover all the costs incurred by the NRA which are not financed by the State, the amount of which being determined according to the income received by those undertakings, provided that that charge is exclusively intended to cover the costs relating to the activities in paragraph (1)(a) of that provision, that the totality of the income obtained in respect of that charge does not exceed the total costs relating to those activities and that that charge is imposed upon individual undertakings in an objective, transparent and proportionate manner, which is for the national court to ascertain.

⁽¹⁾ OJ C 311, 13.10.2012.

Order of the Court (Sixth Chamber) of 16 October 2013 — medi GmbH & Co. KG v Office for Harmonisation in the Internal Market (Trade Marks and Designs)

(Case C-410/12 P) ⁽¹⁾

(Appeal — Community trade mark — Application for registration of the Community word mark medi — Absolute ground for refusal — Lack of distinctiveness — Article 7(1)(b) and 7(2) of Regulation (EC) No 207/2009 — Distortion of the evidence — None)

(2013/C 377/04)

Language of the case: German

Parties

Appellant: medi GmbH & Co. KG (represented by: D. Terheggen, Rechtsanwalt)

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

Re:

Appeal against the judgment of the General Court (Sixth Chamber) of 12 July 2012 in Case T-470/09 *medi v OHIM* by which the General Court dismissed the action brought against the decision of the Fourth Board of Appeal of OHIM of 1 October 2009 (Case R 692/2008-4) concerning an application for registration of the word sign 'medi' as a Community trade mark — Infringement of Article 7(1)(b) of Council Regulation (EC) No 207/2009 of 26 February 2009 on the Community trade mark (OJ 2009 L 78, p. 1) — Distinctive character of the word sign 'medi'

Operative part of the order

1. The appeal is dismissed.
2. *medi GmbH & Co. KG* is ordered to pay the costs.

⁽¹⁾ OJ C 331, 27.10.2012.

Order of the Court (Seventh Chamber) of 7 November 2013 — Arbos, Gesellschaft für Musik und Theater v European Commission

(Case C-615/12 P) ⁽¹⁾

(Appeal — Action for damages — Grants made for projects financed by the 'Culture 2000' programme — Claims for payment of various sums — Content of the application — Appeal in part manifestly inadmissible and in part manifestly unfounded)

(2013/C 377/05)

Language of the case: German

Parties

Appellant: Arbos, Gesellschaft für Musik und Theater (represented by: H. Karl, Rechtsanwalt)

Other party to the proceedings: European Commission (represented by: W. Mölls and D. Roussanov, acting as Agents)

Re:

Appeal brought against the judgment of the General Court (Eighth Chamber) delivered on 25 October 2012 in Case T-161/06 *Arbos v Commission* by which the General Court