

Other party to the proceedings: European Central Bank (ECB) (represented: initially by P. Embley and E. Carlini, subsequently by E. Carlini and M. López Torres, Agents, assisted by B. Wägenbaur, lawyer)

Re:

Appeal brought against the judgment of the Civil Service Tribunal of the European Union (Second Chamber) in Case F-121/10 *Heath v BCE*, judgment of 29 September 2011, not published in the ECR, seeking to have that judgment set aside.

Operative part of the judgment

The Court:

1. Dismisses the appeal;
2. Orders Mr Michael Heath to bear his own costs and to pay those incurred by the European Central Bank (ECB) in the present proceedings.

⁽¹⁾ OJ C 65, 3.3.2012.

Judgment of the General Court of 6 June 2013 — VIP Car Solutions v Parliament

(Case T-668/11) ⁽¹⁾

(Non-contractual liability — Public service contracts — Community procurement procedure — Transport of Members of the European Parliament in chauffeur-driven cars and minibuses during sessions at Strasbourg — Rejection of the bid of a tenderer — Annulment by the General Court of the rejection decision — Loss allegedly suffered following the decision rejecting the applicant's bid — Action for damages)

(2013/C 225/166)

Language of the case: French

Parties

Applicant: VIP Car Solutions SARL (Hoenheim, France) (represented by: G. Welzer, lawyer)

Defendant: European Parliament (represented initially by: G. Hellinckx and M. Mraz and subsequently by: L. Darie and M. Mraz, acting as Agents)

Re:

Action for damages seeking compensation for the loss which the applicant claims to have suffered as a result of the Parliament's decision of 24 January 2007 rejecting its tender submitted in the context of the tender procedure relating to transport for Members of the European Parliament in chauffeur-driven cars and minibuses during part-sessions in Strasbourg (PE/2006/06/UTD/1), subsequently annulled by the judgment in Case T-89/07 *VIP Car Solutions v Parliament* [2009] ECR II-1403.

Operative part of the judgment

The Court:

1. Dismisses the appeal;

2. Orders VIP Car Solutions SARL to pay the costs.

⁽¹⁾ OJ C 109, 14.4.2012.

Judgment of the General Court of 27 June 2013 — Repsol YPF v OHIM — Ajuntament de Roses (R)

(Case T-89/12) ⁽¹⁾

(Community trade mark — Opposition proceedings — Application for Community figurative mark R — Earlier national figurative mark R — Relative ground for refusal — Likelihood of confusion — Article 8(1)(b) of Regulation (EC) No 207/2009)

(2013/C 225/167)

Language of the case: Spanish

Parties

Applicant: Repsol YPF, SA (Madrid, Spain) (represented by: J. Devaureix and L. Montoya Terán, lawyers)

Defendant: Office for Harmonisation in the Internal Market (Trade Marks and Designs) (represented by: J. Crespo Carrillo, Agent)

Other party to the proceedings before the Board of Appeal of OHIM: Ajuntament de Roses (Roses, Spain)

Re:

Action brought against the decision of the Second Board of Appeal of OHIM of 5 December 2011 (Case R 1815/2010-2), relating to opposition proceedings between Ajuntament de Roses and Repsol YPF, SA.

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders Repsol YPF, SA to pay the costs.

⁽¹⁾ OJ C 126, 28.4.2012.

Judgment of the General Court of 30 May 2013 — Buzil-Werk Wagner v OHIM — Roca Sanitario (Roca)

(Case T-115/12) ⁽¹⁾

(Community trade mark — Opposition proceedings — Application for Community word mark Roca — Earlier national figurative mark ROCA and earlier international figurative mark Roca — Relative ground for refusal — Similarity of the goods — Likelihood of confusion — Article 8(1)(b) of Regulation (EC) No 207/2009)

(2013/C 225/168)

Language of the case: German

Parties

Applicant: Buzil-Werk Wagner GmbH & Co. KG (Memmingen, Germany) (represented by: D. Waldhauser, lawyer)

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

Other party to the proceedings before the Board of Appeal of OHIM: Roca Sanitario, SA (Barcelona, Spain)

Re:

Action brought against the decision of the Fourth Board of Appeal of OHIM of 9 January 2012 (Case R 1907/2010-4) relating to opposition proceedings between Roca Sanitario, SA and Buzil-Werk Wagner GmbH & Co. KG.

Operative part of the judgment

The Court:

1. Dismisses the application;
2. Orders Buzil-Werk Wagner GmbH & Co. KG to pay the costs.

⁽¹⁾ OJ C 157, 2.6.2012.

Judgment of the General Court of 6 June 2013 — Interroll v OHIM (Inspired by efficiency)

(Case T-126/12) ⁽¹⁾

(Community trade mark — Application for Community word mark inspired by efficiency — Absolute ground for refusal — Lack of distinctiveness — Article 7(1)(b) of Regulation (EC) No 207/2009)

(2013/C 225/169)

Language of the case: German

Parties

Applicant: Interroll (Sant' Antonino, Switzerland) (represented by: R. Böhm and N. Ehlers, lawyers)

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

Re:

Action brought against the decision of the First Board of Appeal of OHIM of 12 January 2012 (Case R 1280/2011-1) concerning an application for registration of word sign Inspired by efficiency as a Community trade mark.

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders Interroll Holding AG to pay the costs.

⁽¹⁾ OJ C 157, 2.6.2012.

Judgment of the General Court of 12 June 2013 — HTTS v Council

(Case T-128/12) ⁽¹⁾

(Common foreign and security policy — Restrictive measures adopted against Iran in order to prevent nuclear proliferation — Freezing of funds — Manifest error of assessment)

(2013/C 225/170)

Language of the case: German

Parties

Applicant: HTTS Hanseatic Trade Trust & Shipping GmbH (Hamburg, Germany) (represented by: J. Kienzle and M. Schlingmann, lawyers)

Defendant: Council of the European Union (represented initially by: M. Bishop, Z. Kupčová and F. Naert and subsequently by: Bishop and Z. Kupčová, acting as Agents)

Intervener in support of the defendant (Case T-182/12: Federal Republic of Germany (represented initially by: J. Möller, T. Henze and N. Graf Vitzthum and subsequently by: J. Möller and T. Henze, acting as Agents)

Re:

In Case T-128/12, application for annulment of Council Decision 2012/35/CFSP of 23 January 2012 amending Decision 2010/413/CFSP concerning restrictive measures against Iran (OJ 2012 L 19, p. 22), in that it listed the applicant's name on new grounds in Annex II to Council Decision 2010/413/CFSP of 26 July 2010 concerning restrictive measures against Iran (OJ 2010 L 195, p. 39) and of Council Implementing Regulation (EU) No 54/2012 of 23 January 2012 implementing Regulation (EU) No 961/2010 on restrictive measures against Iran (OJ 2012 L 19, p. 1) in so far as the applicants' names have been listed on new grounds in Annex VIII to Council Regulation (EU) No 961/2010 of 25 October 2010 on restrictive measures against Iran and repealing Regulation (EC) No 423/2007 (OJ 2010 L 281, p. 1) and, in Case T-182/12, application for annulment of Council Regulation (EU) No 267/2012 of 23 March 2012 concerning restrictive measures against Iran and repealing Council Regulation (EU) No 961/2010 (OJ 2012 L 88, p. 1), in so far as the applicant's name has been maintained in the list of persons and entities and bodies whose assets have been frozen.

Operative part of the judgment

The Court:

1. Joins Cases T-128/12 and T-182/12 for the purposes of the judgment;
2. Rules that, in Case T-128/12, there is no further need to adjudicate on the application for annulment of Council Implementing Regulation (EU) No 54/2012 of 23 January 2012 implementing Regulation (EU) No 961/2010 on restrictive measures against Iran in so far as it concerns HTTS Hanseatic Trade Trust & Shipping GmbH;