

Defendant: European Commission (represented by: C. Giolito, B. Mongin and F. Ronkes Agerbeek, acting as Agents)

Re:

Application for annulment of Commission Decision C(2010) 5001 final of 20 July 2010 relating to a proceeding under Article 101 [TFEU] and Article 53 of the EEA Agreement (Case COMP/38866 — Animal feed phosphates), and, in the alternative, for reduction of the fine imposed on the applicants in that decision.

Operative part of the judgment

The Court:

- 1) *Dismisses the action;*
- 2) *Orders Timab Industries and Cie financière et de participations Roullier (CFPR) to pay the costs.*

⁽¹⁾ OJ C 346, 18.12.2010.

**Judgment of the General Court of 20 May 2015 — Yuanping Changyuan Chemicals v Council
(Case T-310/12) ⁽¹⁾**

(Dumping — Imports of oxalic acid originating in India and China — Definitive anti-dumping duty — Community industry — Determination of injury — Article 9(4), Article 14(1) and Article 20(1) and (2) of Regulation (EC) No 1225/2009 — Obligation to state reasons — Right to make representations — Article 20(5) of Regulation (EC) No 1225/2009)

(2015/C 221/09)

Language of the case: English

Parties

Applicant: Yuanping Changyuan Chemicals Co. Ltd (Yuan Ping City, Xin Zhou, China) (represented by: V. Akritidis, lawyer)

Defendant: Council of the European Union (represented by: J.-P. Hix, Agent, and initially by N. Chesaites, Barrister, and G. Berrisch, lawyer, and subsequently by D. Geradin, lawyer)

Intervener in support of the defendant: European Commission (represented by: M. França and A. Stobiecka-Kuik, Agents)

Re:

Application for annulment of Council Implementing Regulation (EU) No 325/2012 of 12 April 2012 imposing a definitive anti-dumping duty and collecting definitively the provisional duty imposed on imports of oxalic acid originating in India and the People's Republic of China (OJ 2012 L 106, p. 1).

Operative part of the judgment

The Court:

- 1) *Annuls Council Implementing Regulation (EU) No 325/2012 of 12 April 2012 imposing a definitive anti-dumping duty and collecting definitively the provisional duty imposed on imports of oxalic acid originating in India and the People's Republic of China in so far as it concerns Yuanping Changyuan Chemicals Co. Ltd;*

- 2) Orders the Council of the European Union to bear its own costs and to pay those incurred by Yuanping Changyuan Chemicals Co. Ltd, other than the costs incurred by the latter as a result of the European Commission's intervention;
- 3) Orders the European Commission to bear its own costs and to pay those incurred by Yuanping Changyuan Chemicals Co. Ltd as a result of the European Commission's intervention.

⁽¹⁾ OJ C 273, 8.9.2012.

Judgment of the General Court of 21 May 2015 — Senz Technologies BV v OHIM — Impliva (Umbrellas)

(Case T-22/13 and T-23/13) ⁽¹⁾

(Community design — Invalidity proceedings — Registered Community design representing umbrellas — Grounds for invalidity — Disclosure of earlier design — American patent as earlier design — Circles specialised in the sector concerned — Informed user — Degree of attention of an informed user — Fashion accessories — Degree of freedom of the designer — Individual character — Different overall impression — Invalidity proceedings)

(2015/C 221/10)

Language of the case: English

Parties

Applicant: Senz Technologies BV (Delft (Netherlands)) (represented initially by: W. Hoyng and C. Zeri, and subsequently by W. Hoyng and I. de Bruijn, lawyers)

Defendant: Office for Harmonisation in the Internal Market (Trade Marks and Designs) (represented initially by: F. Mattina, and subsequently by A. Folliard-Monguiral, acting as Agents)

Other party to the proceedings before the Board of Appeal of OHIM, intervening before the General Court: Impliva BV (Mijdrecht (Netherlands)) (represented by: C. Gielen and A. Verschuur, lawyers)

Re:

Actions brought against two decisions of the Third Board of Appeal of OHIM of 26 September 2012 (Cases R 2453/2010-3 and R 2459/2010-3), in relation to invalidity proceedings between Impliva BV and Senz Technologies BV.

Operative part of the judgment

The Court:

1. Annuls the decisions of the Third Board of Appeal of the Office for Harmonisation in the Internal Market (Trade Marks and Designs) (OHIM) of 26 September 2012 (Cases R 2453/2010-3 and R 2459/2010-3);
2. Orders Impliva BV to bear its own costs and to pay one third of the costs of Senz Technologies BV;
3. Orders Senz Technologies to bear two thirds of its own costs;
4. Orders OHIM to bear its own costs.

⁽¹⁾ OJ C 101, 6.4.2013.