

Parties

Applicants: Cit Blaton SA (CITEB) (Schaerbeek, Belgium); and Belgo-Metal (Wetteren, Belgium) (represented by: R. Simar, lawyer)

Defendant: European Parliament (represented by: F. Poilvache and L. Fedel, acting as Agents)

Re:

Application for annulment of the Parliament's decision of 7 September 2012 rejecting the tender made by the applicants in response to a contract notice of 19 May 2012, published in the Supplement to the *Official Journal of the European Union* (OJ 2012/S 92-1563620) under reference NINLO.AO-2012-005-BRU-UIPB-02, concerning the carrying out of work for the renovation and extension of the Eastman building in Brussels (Belgium) and awarding that contract to another tenderer.

Operative part of the judgment

The Court:

1. *Dismisses the action;*
2. *Orders Cit Blaton SA (CITEB) and Belgo-Metal to pay the costs.*

⁽¹⁾ OJ C 9, 12.1.2013.

Judgment of the General Court of 9 April 2014 — Farmaceutisk Laboratorium Ferring v OHIM — Tillotts Pharma (OCTASA)

(Case T-501/12) ⁽¹⁾

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

(2014/C 175/52)

Language of the case: English

Parties

Applicant: Farmaceutisk Laboratorium Ferring A/S (Copenhagen, Denmark) (represented initially by I. Fowler, Solicitor, A. Renck and J. Fuhrmann, lawyers, and subsequently by I. Fowler, A. Renck and D. Slopek, lawyer)

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

Other party to the proceedings before the Board of Appeal of OHIM, intervener before the General Court: Tillotts Pharma AG (Ziefen, Switzerland) (represented by: T. Alkin, Barrister)

Re:

Action against the decision of the Fourth Board of Appeal of OHIM of 6 September 2012 (Case R 1214/2011-4), concerning opposition proceedings between Farmaceutisk Laboratorium Ferring A/S and Tillotts Pharma AG.

Operative part of the judgment

The Court:

1. *Annuls the decision of the Fourth Board of Appeal of the Office for Harmonisation in the Internal Market (Trade Marks and Designs) (OHIM) of 6 September 2012 (Case R 1214/2011-4);*
2. *Orders OHIM to bear its own costs and to pay half of the costs incurred by Farmaceutisk Laboratorium Ferring A/S;*
3. *Orders Tillotts Pharma AG to bear its own costs and to pay half of the costs incurred by Farmaceutisk Laboratorium Ferring.*

⁽¹⁾ OJ C 26, 26. 1. 2013.