

**Re:**

Application, first, for annulment of the decision of the Council of 13 June 2012 not to select the tender submitted by the applicant in response to the restricted call for tenders UCA 218/07, for the provision of technical maintenance and help desk and on-site intervention services for the PCs, printers and peripherals of the General Secretariat of the Council and to award the contract to another tenderer and, secondly, application for compensation for the damage allegedly suffered as a result of the award of the contract to another tenderer.

**Operative part of the judgment**

The Court:

- 1) Dismisses the action;
- 2) Orders Alfastar Benelux SA to pay the costs.

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<sup>(1)</sup> OJ C 331, 27.10.2012.

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**Judgment of the General Court of 25 November 2014 — Royalton Overseas v OHIM — S.  
C. Romarose Invest (KAISERHOFF)**

(Case T-556/12) <sup>(1)</sup>

**(Community trade mark — Opposition proceedings — Application for Community figurative mark  
KAISERHOFF — Earlier national word mark KAISERHOFF — Suspension of the administrative  
proceedings — Rules 20 and 50 of Regulation (EC) No 2868/95 — ‘Examination of the facts by the Office  
of its own motion’ — Article 76(1) of Regulation (EC) No 207/2009)**

(2015/C 016/54)

Language of the case: English

**Parties**

*Applicant:* Royalton Overseas Ltd (Road Town, British Virgin Islands, United Kingdom) (represented by: C. Năstase, lawyer)

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

*Other party to the proceedings before the Board of Appeal of OHIM, intervener before the General Court:* S.C. Romarose Invest Srl (Bucharest, Romania) (represented by: R.-G. Dragomir and G.-L. Ilie, lawyers)

**Re:**

Action brought against the decision of the First Board of Appeal of OHIM of 4 October 2012 (Case R 2535/2011-1) concerning opposition proceedings between S.C. Romarose Invest Srl and Royalton Overseas Ltd.

**Operative part of the judgment**

The Court:

- 1) Annuls the decision of the First Board of Appeal of the Office for Harmonisation in the Internal Market (Trade Marks and Designs) (OHIM) of 4 October 2012 (Case R 2535/2011-1) concerning opposition proceedings between S.C. Romarose Invest Srl and Royalton Overseas Ltd;
- 2) Orders OHIM to bear its own costs and to pay half of the costs incurred by Royalton Overseas, including those necessarily incurred by Royalton Overseas for the purposes of the proceedings before the Board of Appeal of OHIM;

- 3) Orders S.C. Romarose Invest to bear its own costs and to pay half of the costs incurred by Royalton Overseas, including those necessarily incurred by Royalton Overseas for the purposes of the proceedings before the Board of Appeal of OHIM.

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<sup>(1)</sup> OJ C 63, 2.3.2013.

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**Judgment of the General Court of 26 November 2014 — Aldi Einkauf v OHIM — Alifoods (Alifoods)**

(Case T-240/13) <sup>(1)</sup>

**(Community trade mark — Opposition proceedings — Application for Community figurative mark Alifoods — Earlier international and Community word marks ALDI — Relative ground for refusal — No likelihood of confusion — No similarity between the signs — Article 8(1)(b) of Regulation (EC) No 207/2009 — Rule 19(2)(a)(ii) of Regulation (EC) No 2868/95)**

(2015/C 016/55)

Language of the case: German

**Parties**

*Applicant:* Aldi Einkauf GmbH & Co. OHG (Essen, Germany) (represented by: N. Lützenrath, U. Rademacher, L. Kolks and C. Fürsen, lawyers)

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

*Other party to the proceedings before the Board of Appeal of OHIM:* Alifoods, SA (Alicante, Spain)

**Re:**

Action against the decision of the Fourth Board of Appeal of OHIM of 25 February 2013 (Case R 407/2012-4), relating to opposition proceedings between Aldi Einkauf GmbH & Co. OHG and Alifoods, SA.

**Operative part of the judgment**

*The Court:*

- 1) Dismisses the action;
- 2) Orders Aldi Einkauf GmbH & Co. OHG to pay the costs.

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<sup>(1)</sup> OJ C 207, 20.7.2013.

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**Judgment of the General Court of 25 November 2014 — Orange v Commission**

(Case T-402/13) <sup>(1)</sup>

**(Competition — Administrative procedure — Decision ordering an inspection — Proportionality — Appropriateness — Necessity — Absence of arbitrariness — Statement of reasons)**

(2015/C 016/56)

Language of the case: French

**Parties**

*Applicant:* Orange (Paris, France) (represented by: J.-P. Gunther and A. Giraud)

*Defendant:* European Commission (represented by: A. Dawes and F. Ronkes Agerbeek, agents)