

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

Other party to the proceedings before the Board of Appeal of OHIM: Olivar Del Desierto, SL (Almería, Spain)

Re:

Action brought against the decision of the Fourth Board of Appeal of OHIM of 22 June 2012 (Case R 135/2011-4) concerning opposition proceedings between Spa Monopole, compagnie fermière de Spa SA/NV and Olivar Del Desierto, SL.

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 22 June 2012 (Case R 135/2011-4), in so far as it dismisses the opposition in respect of cosmetic products, falling within Class 3 of the Nice Agreement Concerning the International Classification of Goods and Services for the Purposes of the Registration of Marks of 15 June 1957, as revised and amended;*
2. *Orders OHIM to pay the costs.*

⁽¹⁾ OJ C 331, 27.10.2012.

Judgment of the General Court of 4 March 2015 — Nissan Jidosha v OHIM (CVTC)

(Case T-572/12) ⁽¹⁾

(Community trade mark — Request for renewal of the Community figurative mark CVTC — Partial renewal — Article 47 of Regulation (EC) No 207/2009)

(2015/C 127/28)

Language of the case: English

Parties

Applicant: Nissan Jidosha KK (Yokohama, Japan) (represented by: B. Brandreth, Barrister, and D. Cañadas Arcas, lawyer)

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

Re:

Action brought against the decision of the First Board of Appeal of OHIM of 6 September 2012 (Case R 2469/2011-1), relating to a request for renewal of the registration of the Community figurative mark CVTC.

Operative part of the judgment

The Court:

- 1) *Dismisses the action;*
- 2) *Orders Nissan Jidosha KK to pay the costs.*

⁽¹⁾ OJ C 79, 16.3.2013.