

Re:

Action brought against the decision of the Fourth Board of Appeal of OHIM of 18 November 2011 (Case R 734/2011-4) concerning an international registration designating the European Community of the word sign MEDIGYM.

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders Ms Elke Piotrowski to pay the costs.

(¹) OJ C 80, 17.3.2012.

Judgment of the General Court of 7 February 2013 — AMC-Representações Têxteis v OHIM — MIP Metro (METRO KIDS COMPANY)

(Case T-50/12) (¹)

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

(2013/C 101/38)

Language of the case: English

Parties

Applicant: AMC-Representações Têxteis L^{da} (Taveiro, Portugal) (represented by: V. Caires Soares, lawyer)

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, intervener before the General Court: MIP Metro Group Intellectual Property GmbH & Co. KG (Düsseldorf, Germany) (represented by: J.-C. Plate and R. Kaase, lawyers)

Re:

Action brought against the decision of the First Board of Appeal of OHIM of 24 November 2011 (Case R 2314/2010-1), concerning opposition proceedings between MIP Metro Group Intellectual Property GmbH & Co. KG and AMC-Representações Têxteis L^{da}.

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders AMC-Representações Têxteis L^{da} to pay the costs.

(¹) OJ C 109, 14.4.2012.

Order of the General Court of 7 February 2013 — Ubee Interactive v OHIM — Augere Holdings (Netherlands) (Ubee Interactive)

(Case T-407/12) (¹)

(Community trade mark — Opposition — Opposition withdrawn — No need to adjudicate)

(2013/C 101/39)

Language of the case: English

Parties

Applicant: Ubee Interactive Corp. (Jhubei City, Taiwan) (represented by: M. Nentwig, lawyer)

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

Other party to the proceedings before the Board of Appeal of OHIM: Augere Holdings (Netherlands) BV (Amsterdam, Netherlands)

Re:

Action brought against the decision of the Second Board of Appeal of OHIM of 12 July 2012 (Case R 1849/2011-2) relating to opposition proceedings between Augere Holdings (Netherlands) BV and Ubee Interactive Corp.

Operative part of the order

1. There is no longer any need to adjudicate on the action.
2. The applicant and the other party to the proceedings before the Board of Appeal shall bear their own costs and each shall pay one half of the costs incurred by the defendant.

(¹) OJ C 355, 17.11.2012.

Order of the General Court of 7 February 2013 — Ubee Interactive v OHIM — Augere Holdings (Netherlands) (ubee)

(Case T-408/12) (¹)

(Community trade mark — Opposition — Opposition withdrawn — No need to adjudicate)

(2013/C 101/40)

Language of the case: English

Parties

Applicant: Ubee Interactive Corp. (Jhubei City, Taiwan) (represented by: M. Nentwig, lawyer)

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