

GENERAL COURT

Order of the General Court of 20 February 2013 — Kappa Filter Systems v OHIM

(Case T-422/12) ⁽¹⁾

(Action for annulment — Period allowed for bringing proceedings — Out of time — No unforeseeable circumstances — Manifest inadmissibility)

(2013/C 141/31)

Language of the case: German

Parties

Applicant: Kappa Filter Systems GmbH (Steyr-Gleink, Austria) (represented by: C. Hadeyer, lawyer)

Defendant: Office for Harmonisation in the Internal Market (Trade Marks and Designs)

Re:

Action brought against the decision of the Fourth Board of Appeal of OHIM of 10 July 2012 (Case R 817/2012-4), relating to registration of the word mark THE FUTURE HAS ZERO EMISSIONS.

Operative part of the order

1. *The action is dismissed.*
2. *The applicant shall bear its own costs.*

⁽¹⁾ OJ C 355, 17.11.2012.

Order of the President of the General Court of 11 March 2013 — Pilkington Group v Commission

(Case T-462/12 R)

(Interim relief — Competition — Publication of a decision finding an infringement of Article 81 EC — Rejection of request for confidential treatment of information allegedly covered by business secrecy — Application for interim measures — Urgency — Prima facie case — Weighing up of interests)

(2013/C 141/32)

Language of the case: English

Parties

Applicant: Pilkington Group Ltd (St Helens, Merseyside, United Kingdom) (represented by: J. Scott, S. Wisking and K. Fountoukakos-Kyriakakos, Solicitors)

Defendant: European Commission (represented by: M. Kellerbauer, P. Van Nuffel and G. Meeßen, Agents)

Re:

Application for suspension of operation of Commission Decision C(2012) 5718 final of 6 August 2012 on the rejection of a request for confidential treatment submitted by Pilkington Group Ltd pursuant to Article 8 of Decision 2011/695/EU of the President of the European Commission of 13 October 2011 on the function and terms of reference of the hearing officer in certain competition proceedings (Case COMP/39.125 — Car glass), and application for interim measures seeking the continuation of the confidential treatment accorded to certain information relating to the applicant in respect of Commission Decision C(2008) 6815 final of 12 November 2008 relating to a proceeding under Article 81 [EC] and Article 53 of the EEA Agreement (Case COMP/39.125 — Car glass)

Operative part of the order

1. *The applications of HUK-Coburg, LVM, VHV and Württembergische Gemeinde-Versicherung for leave to intervene are dismissed.*
2. *Operation of Commission Decision C(2012) 5718 final of 6 August 2012 on the rejection of a request for confidential treatment submitted by Pilkington Group Ltd pursuant to Article 8 of Decision 2011/695/EU of the President of the European Commission of 13 October 2011 on the function and terms of reference of the hearing officer in certain competition proceedings (Case COMP/39.125 — Car glass) is suspended in relation to two categories of information, as referred to in point 6 of Decision C(2012) 5718 final, concerning, first, customer names, product names or descriptions of products, as well as any other information which might identify individual customers and, second, the number of parts supplied by Pilkington Group, the share of the business of a particular car manufacturer, pricing calculations, price changes etc.*
3. *The Commission is ordered to refrain from publishing a version of its Decision C(2008) 6815 final of 12 November 2008 relating to a proceeding pursuant to Article 81 [EC] and Article 53 of the EEA Agreement (Case COMP/39.125 — Car glass) which is more complete, in relation to the information in the two categories referred to in point 2 above, than that published in February 2010 on the Commission's website.*
4. *The application for interim relief is dismissed as to the remainder.*
5. *The costs are reserved.*