

2. Does an action which is essentially based on the ineffectiveness or invalidity of the aforementioned Greek-Bondholder-Act concern the liability of a State for actions or omissions in the exercise of State authority, within the meaning of the second sentence of Article 1(1) of the Regulation?

(¹) Regulation (EC) No 1393/2007 of the European Parliament and of the Council of 13 November 2007 on the service in the Member States of judicial and extrajudicial documents in civil or commercial matters (service of documents), and repealing Council Regulation (EC) No 1348/2000 (OJ 2007 L 324, p. 79).

Request for a preliminary ruling from the Centrale Raad van Beroep (Nederland) lodged on 15 November 2013 — P v Commissie Sociale Zekerheid Breda, S v College van Burgemeester en Wethouders van de gemeente Amstelveen

(Case C-579/13)

(2014/C 24/14)

Language of the case: Dutch

Referring court

Centrale Raad van Beroep

Parties to the main proceedings

Applicant: P

Defendant: Commissie Sociale Zekerheid Breda

&

Applicant: S

Defendant: College van Burgemeester en Wethouders van de gemeente Amstelveen

Questions referred

1. Must the aim and scope of Directive 2003/109/EC, (¹) or of Article 5(2) and/or of Article 11(1) thereof, be interpreted as meaning that the imposition of the civic integration obligation, under national law, on third-country nationals who have acquired long-term resident status, with penalties in the form of a system of fines, cannot be reconciled therewith?
2. In answering the first question, is it relevant whether the civic integration obligation was imposed before long-term resident status was granted?

(¹) Council Directive 2003/109/EC of 25 November 2003 concerning the status of third-country nationals who are long-term residents (OJ 2004 L 16, p. 44).

Appeal brought on 15 November 2013 by Intra-Press against the judgment of the General Court (First Chamber) delivered on 16 September 2013 in Case T-448/11: Golden Balls Ltd v Office for Harmonisation in the Internal Market (Trade Marks and Designs)

(Case C-581/13 P)

(2014/C 24/15)

Language of the case: English

Parties

Appellant: Intra-Press (represented by: P. Péters, advocaat, T. de Haan, avocat, M. Laborde, avocate)

Other parties to the proceedings: Office for Harmonisation in the Internal Market (Trade Marks and Designs); Golden Balls Ltd

Form of order sought

The appellant claims that the Court should:

— annul the judgment of the General Court of the European Court of 16 September 2013 in Case T-448/11;

— refer the case back to the General Court of the European Union to rule on the action brought by Intra-Press under Article 8(5) of Regulation No 207/2009 (¹);

— order that the costs be reserved.

Pleas in law and main arguments

Appellant submits that the contested judgment should be annulled on the following grounds.

Firstly, the General Court infringed Article 8(1)(b) CTMR in defining the relevant public, in assessing the degree of conceptual similarity between marks by adding a requirement of ‘intellectual process of translation’, ‘begin by translating’ or ‘prior translation’, and in omitting to take the reputation of the earlier mark for services in Class 41 into account. Secondly, the General Court infringed Article 8(5) CTMR by failing to carry out a global assessment and omitting to examine the relevance of the reputation of Appellant’s earlier mark and the existence of a possible link.

(¹) Council Regulation (EC) No 207/2009 of 26 February 2009 on the Community trade mark (OJ L 78, p. 1)