

Operative part of the judgment

1. *The action is dismissed.*
2. *Saint-Gobain Glass Deutschland GmbH shall bear the costs.*

⁽¹⁾ OJ C 9, 12.1.2013.

Judgment of the General Court of 11 December 2014 — Sherwin-Williams Sweden v OHIM — Akzo Nobel Coatings International (ARTI)

(Case T-12/13) ⁽¹⁾

(Community trade mark — Opposition proceedings — Application for Community trade mark ARTI — Earlier Benelux word mark ARTITUDE and international registration of the earlier Benelux trade mark ARTITUDE — Refusal to register — Likelihood of confusion — Similarity of the signs — Identical or highly similar goods — Article 8(1)(b) of Regulation (EC) No 207/2009)

(2015/C 034/38)

Language of the case: English

Parties

Applicant: Sherwin-Williams Sweden AB (Märsta, Sweden) (represented by: L.-E. Ström, lawyer)

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

Other party to the proceedings before the Board of Appeal of OHIM: Akzo Nobel Coatings International BV (Arnhem, Netherlands)

Re:

Action brought against the decision of the First Board of Appeal of OHIM of 18 October 2012 (Case R 2085/2011-1), concerning opposition proceedings between Akzo Nobel Coatings International B V and Sherwin-Williams Sweden Group AB.

Operative part of the judgment

The Court:

- 1) *Dismisses the action.*
- 2) *Orders Sherwin-Williams Sweden AB to bear the costs.*

⁽¹⁾ OJ C 86, 23.3.2013.

Judgment of the General Court of 9 December 2014 — Netherlands Maritime Technology Association v Commission

(Case T-140/13) ⁽¹⁾

(State aid — Spanish scheme of early depreciation of certain assets acquired through financial leasing — Decision finding no State aid — Formal investigation procedure not initiated — Serious difficulties — Circumstances and length of the preliminary examination — Insufficient and incomplete examination)

(2015/C 034/39)

Language of the case: English

Parties

Applicant: Netherlands Maritime Technology Association, formerly Scheepsbouw Nederland (Rotterdam, Netherlands) (represented by: K. Struckmann, lawyer, and G. Forwood, Barrister)

Defendant: European Commission (represented by: M. Afonso, L. Flynn and P. Němečková, acting as Agents)

Intervener in support of the defendant: Kingdom of Spain (represented by N. Díaz Abad and A. Sampol Pucurull, abogados del Estado)

Re:

Application for annulment of the Commission Decision of 20 November 2012 relating to State aid SA 34736 (12/N) concerning the implementation by the Kingdom of Spain of a tax scheme permitting the early depreciation of certain assets acquired through financial leasing.

Operative part of the judgment

The Court:

- 1) *Dismisses the action as being unfounded;*
- 2) *Orders Netherlands Maritime Technology Association to bear its own costs and to pay those incurred by the European Commission;*
- 3) *Orders the Kingdom of Spain to bear its own costs.*

⁽¹⁾ OJ C 147, 25.5.2013.

Judgment of the General Court of 9 December 2014 — DTL Corporación v OHIM — Vallejo Rosell (Generia)

(Case T-176/13) ⁽¹⁾

(Community trade mark — Opposition proceedings — Application for Community word mark Generia — Earlier Community figurative mark Generalia generación renovable — Relative ground for refusal — Likelihood of confusion — Article 8(1)(b) of Regulation (EC) No 207/2009 — Article 63(2) and Article 75 of Regulation No 207/2009)

(2015/C 034/40)

Language of the case: Spanish

Parties

Applicant: DTL Corporación (Madrid, Spain) (represented by: A. Zuazo Araluze, lawyer)

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

Other party to the proceedings before the Board of Appeal of OHIM: Mar Vallejo Rosell (Pinto, Spain)

Re:

Action brought against the decision of the Fourth Board of Appeal of OHIM of 24 January 2013 (Case R 661/2012-4), relating to opposition proceedings between Ms Mar Vallejo Rosell and DTL Corporación, SL.

Operative part of the judgment

1. *The action is dismissed.*
2. *DTL Corporación, SL is ordered to pay the costs.*

⁽¹⁾ OJ C 156, 1.6.2013.