

Defendant: European Commission (represented by: P. Rossi and A. Szmytkowska, acting as Agents)

Re:

Application for annulment of Commission Implementing Decision 2013/214/EU of 2 May 2013 on excluding from European Union financing certain expenditure incurred by the Member States under the Guarantee Section of the European Agricultural Guidance and Guarantee Fund (EAGGF), under the European Agricultural Guarantee Fund (EAGF) and under the European Agricultural Fund for Rural Development (EAFRD) (OJ 2013 L 123, p. 11), in so far as the Commission applies in that decision corrections amounting to EUR 8 292 783,94 and EUR 71 610 559,39 to expenditure declared by the Republic of Poland in respect of support for semi-subsistence farms.

Operative part of the judgment

The Court:

1. *Dismisses the action;*
2. *Orders the Republic of Poland to pay the costs.*

⁽¹⁾ OJ C 260, 7.9.2013.

Judgment of the General Court of 2 December 2015 — Tsujimoto v OHIM — Kenzo (KENZO ESTATE)

(Case T-414/13) ⁽¹⁾

(Community trade mark — Opposition proceedings — International registration designating the European Community — Word mark KENZO ESTATE — Earlier Community word mark KENZO — Relative ground for refusal — Reputation — Article 8(5) of Regulation (EC) No 207/2009)

(2016/C 027/39)

Language of the case: English

Parties

Applicant: Kenzo Tsujimoto (Osaka, Japan) (represented by: A. Wenninger-Lenz, W. von der Osten-Sacken and M. Ring, lawyers)

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

Other party to the proceedings before the Board of Appeal of OHIM, intervener before the General Court: Kenzo (Paris, France) (represented by: P. Roncaglia, G. Lazzeretti, F. Rossi and N. Parrotta, lawyers)

Re:

Action brought against the decision of the Second Board of Appeal of OHIM of 22 May 2013 (Case R 333/2012-2), relating to opposition proceedings between Kenzo and Mr K. Tsujimoto.

Operative part of the judgment

The Court:

1. *Dismisses the action;*
2. *Orders Mr Kenzo Tsujimoto to pay the costs.*

⁽¹⁾ OJ C 304, 19.10.2013.