

**Order of the General Court of 2 October 2014 — HTC Sweden v OHIM — Vermop Salmon
(TWISTER)**

(Case T-230/13) ⁽¹⁾

**(Community trade mark — Invalidity proceedings — Withdrawal of application for declaration of
invalidity — No need to adjudicate)**

(2014/C 431/37)

Language of the case: English

Parties

Applicant: HTC Sweden AB (Söderköping, Sweden) (represented by: G. Hasselblatt and D. Kipping, lawyers)

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

Other party to the proceedings before the Board of Appeal of OHIM intervening before the General Court: Vermop Salmon GmbH (Gilching, Germany) (represented by: M. Ring and W. von der Osten-Sacken, lawyers)

Re:

Action brought against the decision of the First Board of Appeal of OHIM of 31 January 2013 (joined cases R 1873/2011-1 and R 1881/2011-1) relating to invalidity proceedings between Vermop Salmon GmbH and HTC Sweden AB.

Operative part of the order

1. *There is no need to adjudicate on the action.*
2. *The applicant and the intervener shall bear their own costs and shall each pay half of those incurred by the defendant.*

⁽¹⁾ OJ C 178, 22.6.2013.

**Order of the General Court of 16 September 2014 — Boston Scientific Neuromodulation v OHIM
(PRECISION SPECTRA)**

(Case T-497/13) ⁽¹⁾

**(Community trade mark — Application for Community word mark PRECISION SPECTRA — Absolute
grounds for refusal — Descriptive character — Article 7(1)(c) of Regulation (EC) No 207/2009 — Action
in part manifestly inadmissible and in part manifestly lacking any foundation in law)**

(2014/C 431/38)

Language of the case: English

Parties

Applicant: Boston Scientific Neuromodulation Corp. (Valencia, California, United States) (represented by: P. Rath and W. Festl-Wietek, lawyers)

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

Re:

Action brought against the decision of the Fifth Board of Appeal of OHIM of 17 May 2013 (Case R 2099/2012-5), concerning an application for registration of the word mark PRECISION SPECTRA as a Community trade mark.

Operative part of the order

1. *The action is dismissed.*
2. *Boston Scientific Neuromodulation Corp. is ordered to pay the costs.*

⁽¹⁾ OJ C 344, 23.11.2013.

**Order of the General Court of 3 September 2014 — Shire Pharmaceutical Contracts v Commission
(Case T-583/13) ⁽¹⁾**

(Action for annulment — Medicinal products for paediatric use — Regulation (EC) No 1901/2006 — Article 37 — Extension of the period of market exclusivity of off-patent orphan medicinal products — Act not amenable to review — Inadmissibility)

(2014/C 431/39)

Language of the case: English

Parties

Applicant: Shire Pharmaceutical Contracts Ltd (Hampshire, United Kingdom) (represented by: K. Bacon, Barrister, M. Utges Manley and M. Vickers, Solicitors)

Defendant: European Commission (represented by: A. Sipos and V. Walsh, acting as Agents)

Re:

Application for the annulment of the decision purportedly contained in the letter which the Commission sent to the applicant on 2 September 2013, as subsequently confirmed by the letter of 18 October 2013, concerning whether the medicinal product Xagrid was eligible for the reward provided for in Article 37 of Regulation (EC) No 1901/2006 of the European Parliament and of the Council of 12 December 2006 on medicinal products for paediatric use and amending Regulation (EEC) No 1768/92, Directive 2001/20/EC, Directive 2001/83/EC and Regulation (EC) No 726/2004 (OJ 2006 L 378, p. 1)

Operative part of the order

1. *The action is dismissed as inadmissible.*
2. *Shire Pharmaceutical Contracts Ltd is ordered to pay the costs.*

⁽¹⁾ OJ C 377, 21.12.2013.

**Order of the President of the General Court of 4 September 2014 — Röchling Oertl
Kunststofftechnik v Commission**

(Case T-286/14 R)

(Application for interim measures — State aid — National support for the generation of renewable electricity — Commission decision to open the State aid formal investigation procedure — Application for suspension of operation of a measure — Prima facie case)

(2014/C 431/40)

Language of the case: German

Parties

Applicant: Röchling Oertl Kunststofftechnik GmbH (Brensbach, Germany) (represented by: T. Volz and B. Wißmann, lawyers)