

Order of the Court (Third Chamber) of 17 September 2015 — Arnoldo Mondadori Editore SpA v Office for Harmonisation in the Internal Market (Trade Marks and Designs) (OHIM) and Grazia Equity GmbH

(Case C-548/14 P) ⁽¹⁾

(Appeal — Article 181 of the Rules of Procedure of the Court of Justice — Community trade mark — Regulation (EC) No 40/94 — Application for registration of the word mark GRAZIA — Opposition by the proprietor of the international, Community and national word and figurative marks including the word element ‘GRAZIA’ — Rejection of the opposition — Article 8(1)(b) — Likelihood of confusion — Article 8(5) — Reputation)

(2015/C 398/09)

Language of the case: English

Parties

Appellant: Arnoldo Mondadori Editore SpA (represented by: G. Dragotti, R. Valenti, S. Balice and E. Varese, avvocati)

Other parties to the proceedings: Office for Harmonisation in the Internal Market (Trade Marks and Designs) (OHIM) (represented by: A. Schifko, acting as Agent) and Grazia Equity GmbH (represented by: M. Müller, Rechtsanwalt)

Operative part of the order

1. The appeal is dismissed.
2. Arnoldo Mondadori Editore SpA shall bear its own costs and pay those incurred by the Office for Harmonisation in the Internal Market (Trade Marks and Designs) (OHIM).
3. Grazia Equity GmbH shall bear its own costs.

⁽¹⁾ OJ C 73, 2.3.2015.

Order of the Court (9th Chamber) of 3 September 2015 (requests for a preliminary ruling from the Curtea de Apel Cluj (Romania)) — Petru Chiș (C-585/14), Aurel Moldovan (C-587/14) v Administrația Județeană a Finanțelor Publice Cluj and Sergiu Octav Constantinescu (C-588/14) v Administrația Județeană a Finanțelor Publice Sălaj

(Joined Cases C-585/14, C-587/14 and C-588/14) ⁽¹⁾

(Reference for a preliminary ruling — Internal Taxation — Article 110 TFEU — Tax levied by a Member State on motor vehicles at the time of their first registration or of the first transfer of the right of ownership — Fiscal neutrality as between second hand motor vehicles imported from other Member States and similar motor vehicles available on the domestic market)

(2015/C 398/10)

Language of the case: Romanian

Referring court

Curtea de Apel Cluj

Parties to the main proceedings

Applicants: Petru Chiş (C-585/14), Aurel Moldovan (C-587/14), Sergiu Octav Constantinescu (C-588/14)

Defendants: Administraţia Judeţeană a Finanţelor Publice Cluj (C-585/14, C-587/14), Administraţia Judeţeană a Finanţelor Publice Sălaj (C-588/14)

Operative part of the order

1. Article 110 TFEU must be interpreted as not precluding a Member State from introducing a tax on motor vehicles, such as that laid down in Law No 9/2012 of 6 January 2012, in relation to the tax on pollutant emissions from motor vehicles (*Legea nr. 9/2012 privind taxa pentru emisiile poluante provenite de la autovehicule*), which is levied on imported second hand vehicles at the time they are first registered in that Member State and on vehicles that are already registered in that Member State, at the time of the first transfer, within that Member State, of ownership.
2. Article 110 TFEU must be interpreted as precluding a Member State from exempting from a tax, such as that laid down in Law No 9/2012, vehicles that are already registered, in respect of which a tax previously in force has been paid, when the residual amount of that tax, included in the value of those vehicles, is less than the amount of the new tax. That is necessarily the case when the earlier tax must be reimbursed with interest because of its incompatibility with EU law.

⁽¹⁾ OJ C 107, 30.3.2015.

Order of the Court (Sixth Chamber) of 8 September 2015 — (request for a preliminary ruling from the Cour de cassation — France) — Criminal proceedings against Cdiscount SA

(Case C-13/15) ⁽¹⁾

(Reference for a preliminary ruling — Article 99 of the Rules of Procedure of the Court — Directive 2005/29/EC — Consumer protection — Unfair commercial practices — Price reduction — Marking or display of reference price)

(2015/C 398/11)

Language of the case: French

Referring court

Cour de cassation

Criminal proceedings against

Cdiscount SA