

GENERAL COURT

Judgment of the General Court of 19 April 2016 — 100 % Capri Italia v EUIPO — IN.PRO.DI (100 % Capri)

(Case T-198/14) ⁽¹⁾

(European Union trade mark — Opposition proceedings — Application for European Union figurative mark 100 % Capri — Earlier European Union figurative mark CAPRI — Relative ground for refusal — Distinctive character — Likelihood of confusion — Article 8(1)(b) of Regulation (EC) No 207/2009)

(2016/C 191/28)

Language of the case: Italian

Parties

Applicant: 100 % Capri Italia Srl (Capri, Italy) (represented by: A. Perani, G. Ghisletti and F. Braga, lawyers)

Defendant: European Union Intellectual Property Office (represented by: L. Rampini, acting as Agent)

Other party to the proceedings before the Board of Appeal of EUIPO: Inghirami produzione distribuzione SpA (IN.PRO.DI), formerly Cantoni ITC SpA (Milan, Italy) (represented by: V. Piccarreta and M. Franzosi, lawyers)

Re:

Action brought against the decision of the Second Board of Appeal of EUIPO of 10 January 2014 (Case R 2122/2012-2), relating to opposition proceedings between Inghirami produzione distribuzione SpA (IN.PRO.DI) and 100 % Capri Italia Srl.

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders 100 % Capri Italia Srl to pay the costs.

⁽¹⁾ OJ C 159, 26.5.2014.

Judgment of the General Court of 14 April 2016 — Ben Ali v Council

(Case T-200/14) ⁽¹⁾

(Common Foreign and Security Policy — Restrictive measures directed against certain persons and entities in view of the situation in Tunisia — Freezing of funds — Legal basis — Inclusion of the name of the applicant on the basis of new grounds following the annulment of the earlier freezing of funds measures — Obligation to state reasons — Right to property — Proportionality — Error of fact — Rights of the defence — Right to effective judicial protection — Misuse of powers — Right to life — Right to a family life — Non-contractual liability)

(2016/C 191/29)

Language of the case: French

Parties

Applicant: Mehdi Ben Tijani Ben Haj Hamda Ben Haj Hassen Ben Ali (Saint-Étienne-du-Rouvray, France) (represented by: A. de Saint Remy, lawyer)