

**Operative part of the judgment**

The Court:

1. Dismisses the appeal;
2. Orders Mr Alvaro Sesma Merino to pay the costs.

<sup>(1)</sup> OJ C 184, 16.6.2014.

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**Judgment of the General Court of 26 November 2015 — Nürburgring v OHIM — Biedermann (Nordschleife)**

(Case T-181/14) <sup>(1)</sup>

**(Community trade mark — Opposition proceedings — Application for Community word mark Nordschleife — Earlier Community word mark Management by Nordschleife — Relative ground for refusal — Likelihood of confusion — Article 8(1)(b) of Regulation (EC) No 207/2009)**

(2016/C 027/53)

Language of the case: German

**Parties**

*Applicant:* Nürburgring GmbH (Nürburg, Germany) (represented by: M. Viefhues and C. Giersdorf, lawyers)

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

*Other party to the proceedings before the Board of Appeal of OHIM:* Lutz Biedermann (Villingen-Schwenningen, Germany)

**Re:**

Action brought against the decision of the Fourth Board of Appeal of OHIM of 20 January 2014 (Case R 163/2013-4) relating to opposition proceedings between Mr Lutz Biedermann and Nürburgring GmbH.

**Operative part of the judgment**

The Court:

1. Dismisses the action;
2. Orders Nürburgring GmbH to pay the costs.

<sup>(1)</sup> OJ C 151, 19.5.2014.

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**Judgment of the General Court of 26 November 2015 — Bionecs v OHIM — Fidia farmaceutici (BIONECS)**

(Case T-262/14) <sup>(1)</sup>

**(Community trade mark — Opposition proceedings — Application for Community word mark BIONECS — Earlier international word mark BIONECT — Relative grounds for refusal — Likelihood of confusion — Article 8(1)(b) of Regulation (EC) No 207/2009)**

(2016/C 027/54)

Language of the case: English

**Parties**

*Applicant:* Bionecs GmbH (Munich, Germany) (represented by: M. Knitter, lawyer)

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

*Other party to the proceedings before the Board of Appeal of OHIM, intervening before the General Court:* Fidia farmaceutici SpA (Abano Terme, Italy) (represented by: R. Kunz-Hallstein, lawyer)

**Re:**

Action brought against the decision of the First Board of Appeal of OHIM of 6 February 2014 (Case R 1179/2013/1) concerning opposition proceedings between Fidia Farmaceutici SpA and Bionecs GmbH.

**Operative part of the judgment**

*The Court:*

1. Dismisses the action;
2. Orders Bionecs GmbH to pay the costs.

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<sup>(1)</sup> OJ C 235, 21.7.2014.

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**Judgment of the General Court of 3 December 2015 — *Compagnie des fromages & Richesmots v OHIM (representation of a red and white Vichy motif)***

(Case T-327/14) <sup>(1)</sup>

**(Community trade mark — Invalidity proceedings — Community figurative mark representing a red and white Vichy motif — Lack of distinctive character — Article 7(1)(b) of Regulation (EC) No 207/2009)**

(2016/C 027/55)

*Language of the case: French*

**Parties**

*Applicant:* Compagnie des fromages & Richesmots (Puteaux, France) (represented by: T. Mollet-Viéville and T. Cuche, lawyers)

*Defendant:* Office for Harmonisation in the Internal Market (Trade Marks and Designs) (represented initially by: V. Melgar, and subsequently by: J. Crespo Carillo, acting as Agents)

*Other party to the proceedings before the Board of Appeal of OHIM, intervening before the General Court:* Grupo Lactalis Iberia SA (Madrid, Spain) (represented by: D. Masson, lawyer)

**Re:**

Action brought against the decision of the Fourth Board of Appeal of OHIM of 2 March 2014 (Case R 1295/2012-4) concerning invalidity proceedings between Grupo Lactalis Iberia SA and Compagnie des fromages & Richesmots.

**Operative part of the judgment**

*The Court:*

1. Dismisses the action;