

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.

⁽¹⁾ OJ C 235, 21.7.2014.

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

(Case T-327/14) ⁽¹⁾

(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 & Richesmonts (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 & Richesmonts.

Operative part of the judgment

The Court:

1. Dismisses the action;

2. Orders *Compagnie des fromages & Richesmonts* to pay the costs.

⁽¹⁾ OJ C 235, 21.7.2014.

Judgment of the General Court of 26 November 2015 — NICO v Council

(Case T-371/14) ⁽¹⁾

(Common foreign and security policy — Restrictive measures against Iran with the aim of preventing nuclear proliferation — Freezing of funds — Obligation to state reasons — Manifest error of assessment)

(2016/C 027/56)

Language of the case: English

Parties

Applicant: Naftiran Intertrade Co. (NICO) Sàrl (Pully, Switzerland) (represented by: J. Grayston, Solicitor, P. Gjørtler, G. Pandey, D. Rovetta and N. Pilkington, lawyers)

Defendant: Council of the European Union (represented by: M. Bishop and I. Rodios, acting as Agents)

Re:

Application for annulment of the Council decision contained in the letter of 14 March 2014 by which the applicant's name was maintained on the list of person and entities subject to restrictive measures set out in Annex II to Council Decision 2010/413/CFSP of 26 July 2010 concerning restrictive measures against Iran and repealing Common Position 2007/140/CFSP (OJ 2010 L 195, p. 39), as amended by Council Decision 2012/635/CFSP of 15 October 2012 (OJ 2012 L 282, p. 58), and in Annex IX to Council Regulation (EU) No 267/2012 of 23 March 2012 concerning restrictive measures against Iran and repealing Regulation (EU) No 961/2010 (OJ 2012 L 88, p. 1), as implemented by Council Implementing Regulation (EU) No 945/2012 of 15 October 2012 (OJ 2012 L 282, p. 16).

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders Naftiran Intertrade Co. (NICO) Sàrl to bear its own costs and to pay the costs incurred by the Council of the European Union.

⁽¹⁾ OJ C 261, 11.8.2014.

Judgment of the General Court of 26 November 2015 — Établissement Amra v OHIM (KJ KANGOO JUMPS XR)

(Case T-390/14) ⁽¹⁾

(Community trade mark — Application for Community trade mark KJ Kangoo Jumps XR — Absolute ground for refusal — Devoid of any distinctive character — Article 7(1)(b) of Regulation No 207/2009)

(2016/C 027/57)

Language of the case: English

Parties

Applicant: Établissement Amra (Vaduz, Liechtenstein) (represented by: S. Rizzo, lawyer)