

Judgment of the General Court of 8 January 2015 — Club Hotel Loutraki and Others v Commission(Case T-58/13)⁽¹⁾

(State aid — Operation of Video Lottery Terminals — Grant by the Hellenic Republic of an exclusive licence — Decision finding no State aid — Failure to initiate the formal investigation procedure — Serious difficulties — Procedural rights of the interested parties — Obligation to state reasons — Right to effective judicial protection — Advantage — Joint assessment of the notified measures)

(2015/C 056/19)

Language of the case: English

Parties

Applicants: Club Hotel Loutraki AE (Loutraki, Greece); Vivere Entertainment AE (Athens, Greece); Theros International Gaming, Inc. (Patra, Greece); Elliniko Casino Kerkyras (Athens); Casino Rodos (Rhodes, Greece); Porto Carras AE (Alimos, Greece); Kazino Aigaiou AE (Syros, Greece) (represented by: S. Pappas, lawyer)

Defendant: European Commission (represented by: M. Afonso and P.-J. Loewenthal, acting as Agents)

Interveners in support of the defendant: Hellenic Republic (represented by: E.-M. Mamouna and K. Boskovits, acting as Agents); and Organismos Prognostikon Agonon Podosfairou AE (OPAP) (Athens, Greece) (represented: initially by K. Fountoukakos-Kyriakakos, Solicitor, L. Van den Hende and M. Sánchez Rydelski, lawyers, and subsequently by M. Petite and A. Tomtsis, lawyers)

Re:

Application for annulment of Commission Decision C(2012) 6777 final of 3 October 2012 on State aid SA.33 988 (2011/N) — Greece — Arrangements for the extension of OPAP's exclusive right to operate 13 games of chance and the granting of an exclusive licence to operate 35 000 Video Lottery Terminals for a period of 10 years.

Operative part of the judgment

The Court:

- 1) *Dismisses the action;*
- 2) *Orders Club Hotel Loutraki AE, Vivere Entertainment AE, Theros International Gaming, Inc., Elliniko Casino Kerkyras, Casino Rodos, Porto Carras AE and Kazino Aigaiou AE to bear their own costs and to pay those incurred by the European Commission and the Organismos Prognostikon Agonon Podosfairou AE (OPAP);*
- 3) *Orders the Hellenic Republic to bear its own costs.*

⁽¹⁾ OJ C 114, 20.4.2013.

Judgment of the General Court of 17 December 2014 — Lidl Stiftung v OHIM (Deluxe)(Case T-344/14)⁽¹⁾

(Community trade mark — Application for figurative Community mark Deluxe — Absolute ground for refusal — Lack of distinctiveness — Article 7(1)(b) of Regulation (EC) No 207/2009)

(2015/C 056/20)

Language of the case: German

Parties

Applicant: Lidl Stiftung & Co. KG (Neckarsulm, Germany) (represented by: M. Kefferpütz and A. Wrage, lawyers)

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

Re:

Action brought against the decision of the First Board of Appeal of OHIM of 6 March 2014 (Case R 1223/2013-1) concerning an application for registration of the figurative sign Deluxe as a Community trade mark.

Operative part of the judgment

The Court:

1. *Dismisses the action;*
2. *Orders Lidl Stiftung & Co. KG to pay the costs.*

⁽¹⁾ OJ C 235, 21.7.2014.

Order of the General Court of 10 December 2014 — Productos Derivados del Acero v Commission

(Case T-388/10) ⁽¹⁾

(Action for annulment — Representation of the parties — No need to adjudicate)

(2015/C 056/21)

Language of the case: Spanish

Parties

Applicant: Productos Derivados del Acero, SA (Catarroja, Spain) (represented initially by M. Escuder Tella, F. Palau-Ramírez and J. Viciano Pastor, lawyers, subsequently by M. Escuder Tella and J. Viciano Pastor, lawyers)

Defendant: European Commission (represented by: F. Castillo de la Torre, F. Castilla Contreras and V. Bottka, acting as Agents)

Re:

Application for annulment of Commission Decision C (2010) 4387 final of 30 June 2010 relating to a proceeding under Article 101 TFEU and Article 53 of the EEA Agreement (Case COMP/38344 — Prestressing steel), amended by Commission Decision C (2010) 6676 final of 30 September 2010 and Commission Decision C (2011) 2269 final of 4 April 2011.

Operative part of the order

1. *There is no longer any need to adjudicate on the action.*
2. *Productos Derivados del Acero, SA shall bear its own costs and pay those incurred by the Commission.*

⁽¹⁾ OJ C 301, 6.11.2010.

Order of the General Court of 15 December 2014 — AQ v Parliament

(Case T-168/11) ⁽¹⁾

(Action for compensation — Compensation for damage suffered by the applicant following the decision of the Parliament to take no further action on his petition — Request to initiate an inquiry into the alleged irregularities in the proceedings before the European Court of Human Rights — Manifest inadmissibility)

(2015/C 056/22)

Language of the case: Polish

Parties

Applicant: AQ (Żary, Poland) (represented by: P. K. Rosiak, lawyer)