

- 2) Orders Mr Bodson and the other applicants whose names are listed in the Annex to bear their own costs and those incurred by the European Investment Bank (EIB) in the present proceedings.

⁽¹⁾ OJ C 223, 14.7.2014.

Judgment of the General Court of 26 February 2016 — Bodson and Others v EIB

(Case T-241/14 P) ⁽¹⁾

(Appeal — Civil service — EIB staff — Contractual nature of the employment relationship — Remuneration — Reform of the EIB rewards scheme — Obligation to state reasons — Distortion — Errors of law)

(2016/C 118/26)

Language of the case: French

Parties

Appellants: Jean-Pierre Bodson (Luxembourg, Luxembourg), Dalila Bundy (Cosnes-et-Romain, France), Didier Dulieu (Roussy-le-Village, France), Marie-Christel Heger (Nospelt, Luxembourg), Evangelos Kourgias (Senningerberg, Luxembourg), Manuel Sutil (Luxembourg), Patrick Vanhoudt (Gonderange, Luxembourg) and Henry von Blumenthal (Bergem, Luxembourg) (represented by: L. Levi, lawyer)

Other party to the proceedings: European Investment Bank (represented by: C. Gómez de la Cruz, T. Gilliams and G. Nuvoli, acting as Agents, and by P.-E. Partsch, lawyer)

Re:

Appeal brought against the judgment of the European Union Civil Service Tribunal (Third Chamber) of 12 February 2014 in *Bodson and Others v EIB* (F-83/12, ECR-SC, EU:F:2014:15) seeking annulment of that judgment.

Operative part of the judgment

The Court:

- 1) Dismisses the action;
- 2) Orders Mr Bodson and the other applicants whose names are listed in the Annex to bear their own costs and those incurred by the European Investment Bank (EIB) in the present proceedings.

⁽¹⁾ OJ C 223, 14.7.2014.

Judgment of the General Court of 25 February 2016 — FCC Aqualia v OHIM — Sociedad General de Aguas de Barcelona (AQUALOGY)

(Case T-402/14) ⁽¹⁾

(Community trade mark — Opposition proceedings — Application for the Community figurative mark AQUALOGY — Earlier Community word mark AQUALIA and earlier national figurative mark aqualia — Relative grounds for refusal — Article 8(1)(b) and Article 8(5) of Regulation No 207/2009)

(2016/C 118/27)

Language of the case: Spanish

Parties

Applicant: FCC Aqualia, SA (Madrid, Spain) (represented by: J. de Oliveira Vaz Miranda de Sousa, N. González-Alberto Rodríguez and C. Sueiras Villalobos, lawyers)

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

Other party to the proceedings before the Board of Appeal of OHIM, intervener before the General Court: Sociedad General de Aguas de Barcelona, SA (Barcelona, Spain) (represented by: J. Grau Mora, C. Viola Zendera and A. Torrente Tomás, lawyers)

Re:

Action brought against the decision of the First Board of Appeal of OHIM of 13 March 2014 (Case R 1209/2013-1), relating to opposition proceedings between Sociedad General de Aguas de Barcelona, SA and FCC Aqualia, SA.

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders FCC Aqualia to pay the costs.

⁽¹⁾ OJ C 261, 11.8.2014.

Judgment of the General Court of 24 February 2016 — Coca-Cola v OHIM (Shape of a contour bottle without fluting)

(Case T-411/14) ⁽¹⁾

(Community trade mark — Application for three-dimensional Community trade mark — Shape of a contour bottle without fluting — Absolute ground for refusal — No distinctive character — Article 7(1) (b) of Regulation (EC) No 207/2009 — No distinctive character acquired through use — Article 7(3) of Regulation No 207/2009)

(2016/C 118/28)

Language of the case: English

Parties

Applicant: The Coca-Cola Company (Atlanta, United States) (represented by: D. Stone, A. Dykes, Solicitors, and S. Malynicz, Barrister)

Defendant: Office for Harmonisation in the Internal Market (Trade Marks and Designs) (represented by: P. Geroulakos and A. Folliard-Monguiral, acting as Agents)

Re:

Action brought against the decision of the Second Board of Appeal of OHIM of 27 March 2014 (Case R 540/2013-2), concerning proceedings for the registration as a Community trade mark of a three-dimensional sign consisting of the shape of a contour bottle.

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders The Coca-Cola Company to pay the costs.

⁽¹⁾ OJ C 282, 25.8.2014.