

Judgment of the General Court of 10 September 2015 — Laverana v OHIM (ORGANIC PROTEIN RICH PLANT COMPLEX FROM OUR OWN PRODUCTION)

(Case T-609/14) ⁽¹⁾

(Community trade mark — Application for Community figurative mark ORGANIC PROTEIN RICH PLANT COMPLEX FROM OUR OWN PRODUCTION — Absolute ground for refusal — Descriptive character — Article 7(1)(c) of Regulation (EC) No 207/2009)

(2015/C 354/45)

Language of the case: German

Parties

Applicant: Laverana GmbH & Co. KG (Wennigsen, Germany) (represented by: J. Wachinger, M. Zöbisch and D. Chatterjee, lawyers)

Defendant: Office for Harmonisation in the Internal Market (Trade Marks and Designs) (represented by: D. Walicka and D. Botis, acting as Agents)

Re:

Action brought against the decision of the Fourth Board of Appeal of OHIM of 2 June 2014 (Case R 123/2014-4) concerning an application for registration of the figurative sign ORGANIC PROTEIN RICH PLANT COMPLEX FROM OUR OWN PRODUCTION as a Community trade mark.

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders Laverana GmbH & Co. KG to bear the costs.

⁽¹⁾ OJ C 361, 13.10.2014.

Judgment of the General Court of 10 September 2015 — Laverana v OHIM (BIO organic)

(Case T-610/14) ⁽¹⁾

(Community trade mark — Application for Community figurative mark BIO organic — Absolute ground for refusal — Descriptive character — Article 7(1)(c) of Regulation (EC) No 207/2009)

(2015/C 354/46)

Language of the case: German

Parties

Applicant: Laverana GmbH & Co. KG (Wennigsen, Germany) (represented by: J. Wachinger, M. Zöbisch and D. Chatterjee, lawyers)

Defendant: Office for Harmonisation in the Internal Market (Trade Marks and Designs) (represented by: D. Walicka and D. Botis, acting as Agents)

Re:

Action brought against the decision of the Fourth Board of Appeal of OHIM of 2 June 2014 (Case R 301/2014-4) concerning an application for registration of the figurative sign BIO organic as a Community trade mark.

Operative part of the judgment

The Court:

1. *Dismisses the action;*
2. *Orders Laverana GmbH & Co. KG to bear the costs.*

⁽¹⁾ OJ C 361, 13.10.2014.

Order of the General Court of 1 September 2015 — Makhlouf v Council

(Case T-441/13) ⁽¹⁾

(Action for annulment — Common foreign and security policy — Restrictive measures taken against Syria — Freezing of funds — Obligation to state reasons — Rights of the defence — Right to effective judicial protection — Error of assessment — Right to property — Right to respect for private life — Proportionality — Force of res judicata — Time-limit for bringing an action — Admissibility — Action manifestly lacking any foundation in law)

(2015/C 354/47)

Language of the case: French

Parties

Applicant: Eyad Makhlouf (Damascus, Syria) (represented by: C. Rygaert and G. Karouni, lawyers)

Defendant: Council of the European Union (represented by: G. Étienne and R. Liudvinaviciute-Cordeiro, acting as Agents)

Re:

Application for annulment of Council Decision 2013/255/CFSP of 31 July 2013 concerning restrictive measures against Syria (OJ L 147, p. 14), in so far as that decision concerns the applicant.

Operative part of the order

1. *The action is dismissed as manifestly lacking any foundation in law.*
2. *Mr Eyad Makhlouf shall bear the costs.*

⁽¹⁾ OJ C 325, 9.11.2013.