

**Re:**

Action brought against the decision of the Fourth Board of Appeal of EUIPO of 22 September 2014 (Case R 1948/2013-4) relating to invalidity proceedings between Aviário Tropical and Mr Ogrodnik.

**Operative part of the judgment**

*The Court:*

1. Annuls the decision of the Fourth Board of Appeal of the European Union Intellectual Property Office (EUIPO) of 22 September 2014 (Case R 1948/2013-4);
2. Orders EUIPO to bear its own costs and to pay those incurred by Mr Tadeusz Ogrodnik.

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<sup>(1)</sup> OJ C 65, 23.2.2015.

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**Judgment of the General Court of 21 July 2016 — Nutria v Commission**  
(Case T-832/14) <sup>(1)</sup>

**(Non-contractual liability — Refusal to extend the deadline for the withdrawal of skimmed milk powder in the context of the programme for the distribution of food aid to the most deprived persons in the European Union for the year 2010 — Sufficiently serious breach of a rule of law conferring rights on individuals)**

(2016/C 326/43)

*Language of the case: French*

**Parties**

*Applicant:* Nutria AE Typopoiisis & Emporias Agrotikon Proionton (Agios Konstantinos, Greece) (represented by: initially M.-J. Jacquot and subsequently K. Makaronas, lawyers)

*Defendant:* European Commission (represented by: J. Guillem Carrau, D. Triantafyllou, Agents)

**Re:**

Application under Article 268 TFEU, seeking compensation for the damage which the applicant allegedly sustained on account of the Commission's refusal to extend the deadline for the withdrawal of skimmed milk powder set in Article 3(1) of Commission Regulation (EC) No 1111/2009 of 19 November 2009 adopting the plan allocating to the Member States resources to be charged to the 2010 budget year for the supply of food from intervention stocks for the benefit of the most deprived persons in the Community and derogating from certain provisions of Regulation (EEC) No 3149/92 (OJ 2009 L 306, p. 5).

**Operative part of the judgment**

*The Court:*

1. Dismisses the action;
2. Orders Nutria AE Typopoiisis & Emporias Agrotikon Proionton to bear its own costs and to pay those incurred by the European Commission.

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<sup>(1)</sup> OJ C 81, 9.3.2015.