

Order of the President of the General Court of 10 June 2014 — Schmiedag v Commission

(Case T-183/14 R)

(Interim measures — State aid — National promotion of electricity production from a renewable source — Commission decision to open formal investigation procedure in respect of State aid — Application for suspension of operation of a measure — Urgency — Fumus boni juris)

(2014/C 329/23)

*Language of the case: German***Parties***Applicant:* Schmiedag GmbH (Hagen, Germany) (represented by: H. Höfler, C. Kahle and V. Winkler, lawyers)*Defendant:* European Commission (represented by: T. Maxian Rusche and R. Sauer, Agents)**Re:**

Application for suspension of the legal effects of the decision by which the Commission opened a formal investigation procedure in respect of State aid concerning the German law on renewable energy.

Operative part of the order

1. *The application for interim measures is dismissed.*
2. *The judgment of 7 April 2014 in Case T-179/14 R Schmiedag v Commission is set aside.*
3. *Costs are reserved.*

Action brought on 2 June 2014 — salesforce.com v OHIM (MARKETINGCLOUD)

(Case T-388/14)

(2014/C 329/24)

*Language of the case: English***Parties***Applicant:* salesforce.com, Inc. (San Francisco, United States) (represented by: A. Nordemann, lawyer)*Defendant:* Office for Harmonisation in the Internal Market (Trade Marks and Designs)**Form of order sought**

The applicant claims that the Court should:

- Annul the decision of the First Board of Appeal of the Office for Harmonisation in the Internal Market (Trade Marks and Designs) of 6 March 2014 given in Case R 1853/2013-1;
- Order the defendant to pay the costs.

Pleas in law and main arguments

Community trade mark concerned: The word mark 'MARKETINGCLOUD' for services in Classes 35 and 42 — Community trade mark application No 10 979 417

Decision of the Examiner: Found the trade mark not eligible for registration