

**Order of the General Court of 16 April 2015 — Yoworld v OHIM — Nestlé (yogorino)**  
**(Case T-246/14) <sup>(1)</sup>**  
**(Community trade mark — Opposition proceedings — Withdrawal of the opposition — No need to adjudicate)**  
(2015/C 221/24)  
*Language of the case: English*

**Parties**

*Applicant:* Yoworld SA (Luxembourg, Luxembourg) (represented by: A. Tornato and D. Hazan, lawyers)

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

*Other party to the proceedings before the Board of Appeal of OHIM:* Société des produits Nestlé SA (Vevey, Switzerland)

**Re:**

Action brought against the decision of the Second Board of Appeal of OHIM of 20 December 2013 (Case R 115/2013-2) concerning opposition proceedings between Société des produits Nestlé SA and Yoworld SA.

**Operative part of the order**

1. *There is no longer any need to adjudicate in the action.*
2. *The applicant and the other party to the proceedings before the Board of Appeal shall bear their own costs and shall each pay half of the costs incurred by the defendant.*

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<sup>(1)</sup> OJ C 235, 21.7.2014.

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**Order of the General Court of 30 April 2015 — ERTICO — ITS EUROPE v Commission**  
**(Case T-499/14) <sup>(1)</sup>**  
**(Recommendation 2003/361/EC — Criteria for defining micro, small and medium-sized enterprises in European Union policies — Decision of the Validation Panel of the Commission — Withdrawal of the decision — Action becoming devoid of purpose — No need to adjudicate)**  
(2015/C 221/25)  
*Language of the case: English*

**Parties**

*Applicant:* European Road Transport Telematics Implementation Coordination Organisation — Intelligent Transport & Services Europe (ERTICO — ITS EUROPE) (Brussels, Belgium) (represented by: M. Wellinger and K. T'Syen, lawyers)

*Defendant:* European Commission (represented by: R. Lyal and M. Clausen, acting as Agents)

**Re:**

Application for annulment of the decision of the Validation Panel of the European Commission of 15 April 2014 declaring that the applicant cannot be qualified as a micro, small or medium-sized enterprise within the meaning of Commission Recommendation 2003/361/EC of 6 May 2003 concerning the definition of micro, small and medium-sized enterprises (OJ 2003 L 124, p. 36).

**Operative part of the order**

- 1) *There is no longer any need to adjudicate on the present action.*
- 2) *The European Commission shall bear its own costs and those incurred by European Road Transport Telematics Implementation Coordination Organisation - Intelligent Transport Systems & Services Europe (ERTICO — ITS EUROPE).*

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<sup>(1)</sup> OJ C 380, 27.10.2014.

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**Order of the General Court of 13 May 2015 — Klar and Fernandez Fernandez v Commission**

(Case T-665/14 P) <sup>(1)</sup>

*(Appeal — Civil Service — Officials — Staff Committee of the Commission — Revocation by the Luxembourg local section of one of its members appointed to the central staff committee — Decision refusing to recognise the lawfulness of the revocation decision — Action at first instance dismissed as manifestly inadmissible — Non respect of the pre-litigation procedure — Measure adversely affecting a person — Appeal in part manifestly inadmissible and in part manifestly unfounded)*

(2015/C 221/26)

Language of the case: French

**Parties**

*Appellants:* Robert Klar (Grevenmacher, Luxembourg) and Francisco Fernandez Fernandez (Steinsel, Luxembourg) (represented by: A. Salerno, lawyer)

*Other party to the proceedings:* European Commission (represented by: C. Ehrbar and J. Currall, acting as Agents)

**Re:**

Appeal against the order of the Civil Service Tribunal of the European Union (Third Chamber) of 16 July 2014 in *Klar and Fernandez Fernandez v Commission* (F-114/13, ECR-SC, EU:F:2014:192), seeking to have that order set aside.

**Operative part of the order**

1. *The appeal is dismissed;*
2. *Mr Robert Klar and Mr Francisco Fernandez Fernandez are ordered to bear their own costs and those incurred by the European Commission in the context of the present proceedings.*

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<sup>(1)</sup> OJ C 380, 27.10.2014.