

Operative part of the order

1. *There is no further need to adjudicate on the present action.*
2. *The defendant shall bear its own costs and those incurred by the applicant.*

⁽¹⁾ OJ C 71, 8.3.2014.

Order of the President of the General Court of 20 June 2014 — Wilders v Parliament and Council
(Case T-410/14 R)

(Interim measures — European Parliament — Act concerning the election of the Members of the European Parliament by direct universal suffrage — Incompatibility of the office of Member of the European Parliament with that of member of a national parliament (ban on holding a dual mandate) — Application for interim measures — Disregard of formal requirements — Manifest inadmissibility of the main action — Inadmissibility)

(2014/C 315/107)

Language of the case: Dutch

Parties

Applicant: Geert Wilders (represented by: G. Knoops and C. Hamburger, lawyers)

Defendants: European Parliament and Council of the European Union

Re:

Application for interim measures, essentially to permit the applicant to be officially sworn in as a member of the European Parliament, while continuing to hold the office of Member of the Netherlands Parliament

Operative part of the order

1. *The application for interim measures is dismissed.*
2. *The costs are reserved.*

Action brought on 3 June 2014 — Établissement Amra/OHIM

(KJ KANGOO JUMPS XR)

(Case T-390/14)

(2014/C 315/108)

Language of the case: English

Parties

Applicant: Établissement Amra (Vaduz, Liechtenstein) (represented by: S. Rizzo, 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 Second Board of Appeal of the Office for Harmonisation in the Internal Market (Trade Marks and Designs) of 10 March 2014 in Case R 1511/2013-2 in its entirety;
- Order the defendant to pay the costs

Pleas in law and main arguments

Community trade mark concerned: The position mark, consisting of the lower spring portion of a sporting and exercising device and containing the word elements 'KJ KANGOO JUMPS XR' for goods in Class 28 — Community trade mark application No 11 726 494

Decision of the Examiner: The application was rejected

Decision of the Board of Appeal: The appeal was dismissed

Pleas in law: Infringement of Article 7(1)(b) of Regulation No 207/2009.

Action brought on 28 May 2014 — Best-Lock (Europe) v OHIM — Lego Juris (Shape of a toy figure)

(Case T-395/14)

(2014/C 315/109)

Language in which the application was lodged: German

Parties

Applicant: Best-Lock (Europe) Ltd (Colne, United Kingdom) (represented by: J. Becker, lawyer)

Defendant: Office for Harmonisation in the Internal Market (Trade Marks and Designs)

Other party to the proceedings before the Board of Appeal: Lego Juris A/S (Billund, Denmark)

Form of order sought

The applicant claims that the Court should:

- Annul the decision of the Fourth Board of Appeal of the Office for Harmonisation in the Internal Market (Trade Marks and Designs) of 26 March 2014 in Case R 1695/2013-4 and declare Community trade mark No 50 518 invalid in respect of Class 28;
- Order the defendant to pay the costs.

Pleas in law and main arguments

Registered Community trade mark in respect of which a declaration of invalidity has been sought: the three-dimensional mark in the shape of a toy figure for goods in Classes 9, 25 and 28 — Community trade mark No 50 518

Proprietor of the Community trade mark: Lego Juris A/S

Applicant for the declaration of invalidity of the Community trade mark: the applicant

Grounds for the application for a declaration of invalidity: absolute grounds for invalidity and bad faith

Decision of the Cancellation Division: the application for a declaration of invalidity was rejected

Decision of the Board of Appeal: the appeal was dismissed

Pleas in law: Infringement of Article 52 in conjunction with Article 7(1)(e)(i) and (ii) and 7(1)(b) of Regulation No 207/2009