

The applicant has suffered non-material damage given that the image of it as a cartel offender has persisted for an unreasonably long period of time as a result of the excessive duration of the procedure before the General Court. The applicant is of the view that compensation in an amount of 5 % of the fine initially imposed is in line with the compensation deemed appropriate by the Court of Justice in comparable situations of time-limits having been seriously exceeded in the assessment of cartel fines.

The applicant states, in the light of the foregoing, that there is a direct causal link between the damage claimed and a rule of law infringed by the European Union intended to confer rights on individuals. The applicant is therefore of the view that the conditions establishing non-contractual liability on the part of the European Union have been satisfied for the purposes of the second paragraph of Article 340 TFEU.

Action brought on 10 October 2014 — Universal Protein Supplements Corp. d/b/a Universal Nutrition v OHIM — H. Young Holdings (animal)

(Case T-727/14)

(2014/C 431/68)

Language in which the application was lodged: English

Parties

Applicant: Universal Protein Supplements Corp. d/b/a Universal Nutrition (New Brunswick, United States) (represented by: S. Malynicz, Barrister)

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

Other party to the proceedings before the Board of Appeal: H. Young Holdings plc (Newbury, United Kingdom)

Details of the proceedings before OHIM

Proprietor of the trade mark at issue: Other party to the proceedings before the Board of Appeal

Trade mark at issue: Community figurative mark containing the verbal element 'animal' — Community trade mark No 2 822 807

Procedure before OHIM: Proceedings for a declaration of invalidity

Contested decision: Decision of the First Board of Appeal of OHIM of 31 July 2014 in Case R 2054/2013-1

Form of order sought

The applicant claims that the Court should:

- annul the contested decision;
- order OHIM and the other party to pay their own costs and those of the applicant.

Pleas in law

- Infringement of Article 8(4) of Regulation No 207/2009;
- Infringement of Article 37(b)(ii) of Regulation No 2868/95.

Action brought on 10 October 2014 — Universal Protein Supplements Corp. d/b/a Universal Nutrition v OHIM — H. Young Holdings (animal)

(Case T-728/14)

(2014/C 431/69)

Language in which the application was lodged: English

Parties

Applicant: Universal Protein Supplements Corp. d/b/a Universal Nutrition (New Brunswick, United States) (represented by: S. Malynicz, Barrister)

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

Other party to the proceedings before the Board of Appeal: H. Young Holdings plc (Newbury, United Kingdom)

Details of the proceedings before OHIM

Proprietor of the trade mark at issue: Other party to the proceedings before the Board of Appeal

Trade mark at issue: Community figurative mark containing the verbal element 'animal' — Community trade mark No 2 824 548

Procedure before OHIM: Proceedings for a declaration of invalidity

Contested decision: Decision of the First Board of Appeal of OHIM of 31 July 2014 in Case R 2058/2013-1

Form of order sought

The applicant claims that the Court should:

- annul the contested decision;
- order OHIM and the other party to pay their own costs and those of the applicant.

Pleas in law

- Infringement of Article 8(4) of Regulation No 207/2009;
- Infringement of Article 37(b)(ii) of Regulation No 2868/95.

Order of the General Court of 2 October 2014 — Ratioparts-Ersatzteile v OHIM — Norwood Industries (NORTHWOOD professional forest equipment)

(Case T-592/13) ⁽¹⁾

(2014/C 431/70)

Language of the case: German

The President of the Fifth Chamber has ordered that the case be removed from the register.

⁽¹⁾ OJ C 24, 25.1.2014.

Order of the General Court of 2 October 2014 — Ratioparts-Ersatzteile v OHIM — Norwood Promotional Products Europe (NORTHWOOD professional forest equipment)

(Case T-622/13) ⁽¹⁾

(2014/C 431/71)

Language of the case: German

The President of the Fifth Chamber has ordered that the case be removed from the register.

⁽¹⁾ OJ C 39, 8.2.2014.
