

## GENERAL COURT

**Judgment of the General Court of 10 March 2016 — *credentis v OHIM — Aldi Karlslunde (Curodont)***

(Case T-53/15) <sup>(1)</sup>

**(Community trade mark — Opposition proceedings — Application for Community word mark *Curodont* — Earlier national word mark *Eurodont* — Relative ground for refusal — Likelihood of confusion — Article 8(1)(b) of Regulation (EC) No 207/2009)**

(2016/C 145/33)

*Language of the case: English*

### Parties

*Applicant:* *credentis AG* (Windisch, Switzerland) (represented by: D. Breuer, lawyer)

*Defendant:* Office for Harmonisation in the Internal Market (Trade Marks and Designs) (represented by: A. Folliard-Monguiral and J. Ivanauskas, acting as Agents)

*Other party to the proceedings before the Board of Appeal of OHIM, intervener before the General Court:* *Aldi Karlslunde K/S* (Karlslunde, Denmark) (represented by: N. Lützenrath, U. Rademacher, C. Fürsen and N. Bertram, lawyers)

### Re:

Action brought against the decision of the First Board of Appeal of OHIM of 13 November 2014 (case R 353/2014-1), relating to opposition proceedings between *Aldi Karlslunde K/S* and *credentis AG*.

### Operative part of the judgment

*The Court:*

1. Dismisses the action;
2. Orders *credentis AG* to pay the costs.

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<sup>(1)</sup> OJ C 107, 30.3.2015.

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**Judgment of the General Court of 10 March 2016 — *LG Developpement v OHIM — Bayerische Motoren Werke (MINICARGO)***

(Case T-160/15) <sup>(1)</sup>

**(Community trade mark — Opposition proceedings — Application for the Community figurative mark *MINICARGO* — Earlier Community word mark *MINI* — Relative ground for refusal — Likelihood of confusion — Article 8(1)(b) of Regulation (EC) No 207/2009)**

(2016/C 145/34)

*Language of the case: English*

### Parties

*Applicant:* *LG Developpement* (Baud, France) (represented by: A. Sion, lawyer)

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

*Other party to the proceedings before the Board of Appeal of OHIM, intervener before the General Court: Bayerische Motoren Werke AG (Munich, Germany) (represented by: R. Delorey, lawyer)*

**Re:**

Action brought against the decision of the Fourth Board of Appeal of OHIM of 23 January 2015 (Case R 596/2014-4), relating to opposition proceedings between Bayerische Motoren Werke AG and LG Developpement.

**Operative part of the judgment**

*The Court:*

1. *Dismisses the action;*
2. *Orders LG Developpement to pay the costs.*

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<sup>(1)</sup> OJ C 198, 15.6.2015.

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**Order of the General Court of 26 February 2016 — Colomer Italy v OHIM — Farmaca International (INTERCOSMO ESTRO)**

**(Case T-681/13) <sup>(1)</sup>**

**(Community trade mark — Opposition proceedings — Withdrawal of the application for registration — No need to adjudicate)**

(2016/C 145/35)

*Language of the case: Italian*

**Parties**

*Applicant:* Colomer Italy SpA (Sala Bolognese, Italy) (represented by: M. Ricolfi, F. Tarocco and C. Mezzetti, lawyers)

*Defendant:* Office for Harmonisation in the Internal Market (Trade Marks and Designs) (represented by: P. Bullock and N. Bambara, acting as Agents)

*Other party to the proceedings before the Board of Appeal of OHIM intervening before the General Court:* Farmaca International SpA (Torino, Italy) (represented by: M. Caramelli and S. Fierro, lawyers)

**Re:**

Action brought against the decision of the First Board of Appeal of OHIM of 3 October 2013 (Case R 1186/2012-1) relating to opposition proceedings between Farmaca International SpA and Colomer Italy SpA.

**Operative part of the order**

1. *There is no longer any need to adjudicate on the action.*
2. *Colomer Italy SpA and Farmaca International SpA are ordered to bear their own costs and, each of them, half of the costs of the Office for Harmonisation in the Internal Market (Trade Marks and Designs) (OHIM).*

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<sup>(1)</sup> OJ C 78, 15.3.2014.