

**Judgment of the General Court of 7 September 2017 — AlzChem v Commission**(Case T-451/15) <sup>(1)</sup>

*(Access to documents — Regulation (EC) No 1049/2001 — Documents relating to a procedure for reviewing State aid — Refusal to grant access — Exception relating to the protection of the purpose of inspections, investigations and audits — Obligation to carry out a specific and individual examination — Overriding public interest)*

(2017/C 357/12)

Language of the case: English

**Parties**

*Applicant:* AlzChem AG (Trostberg, Germany) (represented: initially by A. Borsos and J. Guerrero-Pérez, and subsequently by A. Borsos, J. Guerrero-Pérez and I. Georgiopoulos, lawyers)

*Defendant:* European Commission (represented by: A. Buchet, M. Konstantinidis and L. Armati, acting as Agents)

**Re:**

Action under Article 263 TFEU seeking the annulment of the Commission decision of 26 May 2015 refusing to grant the applicant access to documents relating to a procedure for reviewing State aid.

**Operative part of the judgment**

*The Court:*

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

<sup>(1)</sup> OJ C 320, 28.9.2015.

**Judgment of the General Court of 8 September 2017 — Aldi v EUIPO**(Case T-572/15) <sup>(1)</sup>

*(EU trade mark — Opposition proceedings — Application for EU figurative mark GOURMET — Prior EU figurative mark ORIGINE GOURMET — Relative ground for refusal — Likelihood of confusion — Article 8(1)(b) of Regulation No 207/2009 — Suspension of the administrative procedure — Rule 20(7) (c) of Regulation (EC) No 2968/95)*

(2017/C 357/13)

Language of the case: German

**Parties**

*Applicant:* Aldi GmbH & Co. KG (Mülheim an der Ruhr, Germany) (represented by: N. Lützenrath, U. Rademacher, C. Fürsen and N. Bertram, lawyers)

*Defendant:* European Union Intellectual Property Office (represented by: M. Eberl and M. Fischer, acting as Agents)

*Other party to the proceedings before the Board of Appeal of EUIPO:* Pierre-André Rouard (Madrid, Spain) (represented by: P. Merino Baylos, lawyer)

**Re:**

Action brought against the decision of the Fourth Board of Appeal of EUIPO of 24 July 2015 (Case R 1985/2013-4) concerning opposition proceedings between Mr Rouard and Aldi.