

Operative part of the judgment

The General Court:

1. Declares that the Research Executive Agency (REA) suspended its payments to ANKO AE Antiprosopeion, Emporiou kai Viomichanias in breach of Section II.5 (3)(d) of the general conditions annexed to Subvention Agreement No 217951 for the financing of the 'Emergency Support System' project, entered into in the context of the Seventh Framework Programme for research, technological development and demonstration activities (2007-2013);
2. Orders REA to pay to ANKO AE Antiprosopeion, Emporiou kai Viomichanias a sum corresponding to the intermediate payments which should not have been suspended concerning the latter's participation in the 'Emergency Support System' project, within the limits of the balance of the financial aid available at the time of their suspension, together with default interest, starting from, for each reporting period, the expiry of the period for payment of 105 days following receipt of the corresponding reports, at the rate in force on the first day of the month of the payment default, as published in the Official Journal of the European Union, C series, increased by three and a half percentage points;
3. Orders REA to pay the costs.

⁽¹⁾ OJ C 279, 24.8.2015.

Judgment of the General Court of 30 November 2016 — Automobile Club di Brescia v EUIPO — Rebel Media (e-miglia)

(Case T-458/15) ⁽¹⁾

(EU trade mark — Opposition proceedings — Application for EU figurative mark e-miglia — Earlier EU word marks MILLE MIGLIA — Relative ground for refusal — Likelihood of confusion — Article 8(1)(b) of Regulation (EC) No 207/2009)

(2017/C 022/32)

Language of the case: English

Parties

Applicant: Automobile Club di Brescia (Brescia, Italy) (represented by: F. Celluprica and F. Fischetti, lawyers)

Defendant: European Union Intellectual Property Office (represented by: L. Rampini, acting as Agent)

Other party to the proceedings before the Board of Appeal of EUIPO, intervener before the General Court: Rebel Media Ltd (Wilmslow, United Kingdom) (represented by: P. Schotthöfer and F. Steiner, lawyers)

Re:

Action brought against the decision of the Fifth Board of Appeal of EUIPO of 9 June 2015 (Case R 1990/2014-5), relating to opposition proceedings between Automobile Club di Brescia and Rebel Media.

Operative part of the judgment

The Court:

1. Dismisses the action;

2. Dismisses the cross-claim;
3. Orders *Automobile Club di Brescia and Rebel Media Ltd* to bear their own costs and each pay half of the costs of EUIPO.

⁽¹⁾ OJ C 328, 5.10.2015.

Judgment of the General Court of 1 December 2016 — *Z v Court of Justice of the European Union*

(Case T-532/15 P) ⁽¹⁾

(Appeal — Civil service — Officials — Staff report — Impartiality of the Civil Service Tribunal — Application for recusal of the members of the formation of the Tribunal which delivered judgment — Rights of defence — Right to effective judicial protection)

(2017/C 022/33)

Language of the case: French

Parties

Appellant: Z (Luxembourg, Luxembourg) (represented by: F. Rollinger, lawyer)

Other party to the proceedings: Court of Justice of the European Union (represented initially by A. Placco, and subsequently by J. Inghelram and Á. Almendros Manzano, acting as Agents)

Re:

Appeal brought against the judgment of the Civil Service Tribunal of the European Union (Second Chamber) of 30 June 2015, *Z v Court of Justice* (F-64/13, EU:F:2015:72), seeking to have that judgment set aside.

Operative part of the judgment

The Court:

1. Dismisses the appeal;
2. Orders Ms Z to pay the costs.

⁽¹⁾ OJ C 16, 18.1.2016.

Judgment of the General Court of 29 November 2016 — *Pi-Design v EUIPO — Société des produits Nestlé (PRESSO)*

(Case T-545/15) ⁽¹⁾

(EU trade mark — Opposition proceedings — International registration — Application for territorial extension of the protection — Word mark PRESSO — Earlier national word mark PRESSO — Relative ground for refusal — Likelihood of confusion — Article 8(1)(b) of Regulation (EC) No 207/2009)

(2017/C 022/34)

Language of the case: German

Parties

Applicant: Pi-Design AG (Triengen, Switzerland) (represented by: M. Apelt, lawyer)

Defendant: European Union Intellectual Property Office (represented by: M. Fischer, acting as Agent)

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