

Defendant: European Union Intellectual Property Office (represented by: A. Folliard-Monguiral, acting as Agent)

Other party to the proceedings before the Board of Appeal of EUIPO: Smart Market, SLU (Alcantarilla, Spain)

Re:

Action brought against the decision of the First Board of Appeal of EUIPO of 2 October 2014 (Case R 1866/2013-1) concerning opposition proceedings between Smart Market and Leopard.

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders Leopard SA to pay the costs.

⁽¹⁾ OJ C 81, 9.3.2015.

Judgment of the General Court of 19 October 2017 — Spain v Commission

(Case T-502/15) ⁽¹⁾

(EAGF and EAFRD — Expenditure excluded from financing — Expenditure incurred by Spain — Flat-rate financial corrections — Regulations (EC) No 1290/2005 and (EU) No 1306/2013 — Obligation to state reasons — Burden of proof — Proportionality — Rights of defence)

(2017/C 412/34)

Language of the case: Spanish

Parties

Applicant: Kingdom of Spain (represented initially by L. Banciella Rodríguez-Miñón, and subsequently by M. Sampol Pucurull, A. Gavela Llopis and V. Ester Casas, acting as Agents)

Defendant: European Commission (represented initially by J. Guillem Carrau and D. Triantafyllou, and subsequently by D. Triantafyllou and I. Galindo Martín, acting as Agents)

Re:

Application based on Article 263 TFEU seeking annulment of Commission Implementing Decision (EU) 2015/1119 of 22 June 2015 excluding from European Union financing certain expenditure incurred by the Member States under the European Agricultural Guarantee Fund (EAGF) and under the European Agricultural Fund for Rural Development (EAFRD) (OJ 2015 L 182, p. 39) as regards certain corrections made in respect of Catalonia, on the one hand, and the Canaries, on the other hand.

Operative part of the judgment

The Court:

1. Dismisses the application;
2. Orders the Kingdom of Spain to bear its own costs and to pay the costs of the European Commission.

⁽¹⁾ OJ C 346, 19.10.2015.