

GENERAL COURT

Judgment of the General Court of 6 December 2018 — Coveris Rigid France v Commission

(Case T-531/15) ⁽¹⁾

(Competition — Agreements, decisions and concerted practices — Retail food packaging market — Decision finding an infringement of Article 101 TFEU — Principle of personal liability — No economic continuity — Equal treatment)

(2019/C 65/39)

Language of the case: English

Parties

Applicant: Coveris Rigid France, formerly Coveris Rigid (Auneau) France (Auneau, France) (represented by: H. Meyer-Lindemann, C. Graf York von Wartenburg and L. Stammwitz, lawyers)

Defendant: European Commission (represented by: A. Biolan, F. Jimeno Fernández and L. Wildpanner, acting as Agents)

Re:

Application under Article 263 TFEU for annulment of Commission decision C(2015) 4336 final of 24 June 2015 relating to a proceeding under Article 101 TFEU and Article 53 of the EEA Agreement (Case AT.39563 — Retail food packaging) in so far as it applies to the applicant.

Operative part of the judgment

The Court:

1. *Dismisses the action;*
2. *Orders Coveris Rigid France to pay the costs.*

⁽¹⁾ OJ C 406, 7.12.2015.

Judgment of the General Court of 6 December 2018 — Tomasz Kawalko Trofeum v EUIPO — Ferrero (KINDERPRAMS)

(Case T-115/18) ⁽¹⁾

(EU trade mark — Opposition proceedings — Application for EU word mark KINDERPRAMS — Earlier national figurative marks Kinder — Relative ground for refusal — Likelihood of confusion — Identity or similarity of the goods and services — Similarity of the signs — Article 8(1)(b) of Regulation (EU) 2017/1001)

(2019/C 65/40)

Language of the case: English

Parties

Applicant: Tomasz Kawalko Trofeum (Gdynia, Poland) (represented by: P. Moksa, lawyer)

Defendant: European Union Intellectual Property Office (represented by: S. Bonne and H. O'Neill, acting as Agents)

Other party to the proceedings before the Board of Appeal of EUIPO, intervener before the General Court: Ferrero SpA (Alba, Italy) (represented by: F. Jacobacci and L. Ghedina, lawyers)