

Judgment of the General Court of 12 March 2019 — Perry Ellis International Group v EUIPO (PRO PLAYER)(Case T-220/16) ⁽¹⁾**(EU trade mark — Application for EU word mark PRO PLAYER — Absolute ground for refusal — Descriptive character — Article 7(1)(c) of Regulation (EC) No 207/2009 (now Article 7(1)(c) of Regulation (EU) 2017/1001))**

(2019/C 155/43)

Language of the case: English

Parties*Applicant:* Perry Ellis International Group Holdings Ltd (Nassau, Bahamas) (represented by: O. Günzel and C. Tenkhoff, lawyers)*Defendant:* European Union Intellectual Property Office (represented by: L. Rampini and K. Markakis, acting as Agents)**Re:**

Action brought against the decision of the Second Board of Appeal of EUIPO of 24 February 2016 (Case R 1091/2015-2), relating to an application for registration of the word sign PRO PLAYER as an EU trade mark.

Operative part of the judgment

The Court:

1. *Dismisses the action;*
2. *Orders Perry Ellis International Group Holdings Ltd to bear its own costs and to pay the costs incurred by the European Union Intellectual Property Office (EUIPO).*

⁽¹⁾ OJ C 232, 27.6.2016.

Judgment of the General Court of 19 March 2019 — Inpost Paczkomaty and Inpost v Commission(Joined Cases T-282/16 and T/283/16) ⁽¹⁾**(State aid — Postal sector — Compensation of the net costs resulting from universal service obligations — Decision declaring the aid compatible with the internal market — Action for annulment — Interest in bringing proceedings — Obligation to state reasons — Equal treatment — Proportionality — Right to property — Freedom to conduct a business)**

(2019/C 155/44)

Language of the case: Polish

Parties*Applicant in Case T-282/16:* Inpost Paczkomaty sp. z o.o. (Krakow, Poland) (represented by: initially, T. Proć, then D. Doktor, lawyers)

Applicant in Case T-283/16: Inpost S.A. (Krakow, Poland) (represented by: W. Knopkiewicz, lawyer)

Defendant: European Commission (represented by: K. Herrmann, K. Blanc and D. Recchia, Agents)

Intervener in support of the defendant: Republic of Poland (represented by: B. Majczyna, Agent)

Re:

Applications based on Article 263 TFEU and seeking annulment of Commission Decision C(2015) 8236 final, of 26 November 2015, by which the Commission did not raise objections to the measure notified by the Polish authorities in relation to the aid granted to Poczta Polska in the form of compensation of the net cost resulting from the delivery, by that company, of its universal postal service obligations in respect of the period from and including 1 January 2013 to 31 December 2015.

Operative part of the judgment

The Court:

1. *Dismisses the actions;*
2. *Declares that Inpost Paczkomaty sp. z o.o. and Inpost S.A. are each to bear their own costs and orders them to pay the costs incurred by the European Commission;*
3. *Declares that the Republic of Poland is to pay its own costs.*

(¹) OJ C 270, 25.7.2016.

Judgment of the General Court of 20 March 2019 — Foshan Lihua Ceramic v Commission

(Case T-310/16) (¹)

(Dumping — Imports of ceramic tiles originating in China — Article 11(4) and (5) and Article 17 of Regulation (EC) No 1225/2009 (now Article 11(4) and (5) and Article 17 of Regulation (EU) 2016/1036) — Refusal to grant new exporting producer treatment in accordance with Article 3 of Implementing Regulation (EU) No 917/2011 — Sampling — Individual examination — Confidentiality)

(2019/C 155/45)

Language of the case: English

Parties

Applicant: Foshan Lihua Ceramic Co. Ltd (Foshan, China) (represented by: B. Spinoit, D. Philippe and A. Wese, lawyers)

Defendant: European Commission (represented initially by: A. Demeneix, M. França and T. Maxian Rusche, and subsequently by A. Demeneix, T. Maxian Rusche and N. Kuplewatzky, acting as Agents)

Intervener in support of the defendant: Cerame-Unie AISBL (Brussels, Belgium) (represented by: V. Akritidis, lawyer)