

Judgment of the General Court of 25 April 2018 — Perfumes y Aromas Artesanales v EUIPO — Aromas Selective (Aa AROMAS artesanales)

(Case T-426/16) ⁽¹⁾

(EU trade mark — Opposition proceedings — Application for EU figurative mark Aa AROMAS artesanales — Earlier EU figurative mark Aromas PERFUMARIA Beleza em todos os sentidos — Relative ground for refusal — Likelihood of confusion — Identity or similarity of the services — Similarity of the signs — Relevant public — Article 8(1)(b) of Regulation (EC) No 207/2009 (now Article 8(1)(b) of Regulation (EU) 2017/1001))

(2018/C 200/42)

Language of the case: Spanish

Parties

Applicant: Perfumes y Aromas Artesanales, SL (Arganda del Rey, Spain) (represented by: J. Botella Reyna, lawyer)

Defendant: European Union Intellectual Property Office (represented by: E. Zaera Cuadrado and A. Schifko, acting as Agents)

Other party to the proceedings before the Board of Appeal of EUIPO, intervener before the General Court: Aromas Selective, SL (Dos Hermanas, Spain) (represented by: I. Temiño Cenicerros and J. Oria Sousa-Montes, lawyers)

Re:

Action brought against the decision of the Fifth Board of Appeal of EUIPO of 20 May 2016 (Case R 766/2015-5), relating to opposition proceedings between Aromas Selective and Perfumes y Aromas Artesanales.

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders Perfumes y Aromas Artesanales, SL, to bear its own costs and to pay those incurred by the European Union Intellectual Property Office (EUIPO) and by Aromas Selective, SL, including the costs necessarily incurred by Aromas Selective, SL, before the Board of Appeal of EUIPO.

⁽¹⁾ OJ C 364, 3.10.2016.

Judgment of the General Court of 23 April 2018 — Verein Deutsche Sprache v Commission

(Case T-468/16) ⁽¹⁾

(Access to documents — Regulation (EC) No 1049/2001 — Documents relating to a Commission decision concerning the alteration of the appearance of the press room in the Berlaymont Building to display only the French and English languages — Partial refusal of access — Declaration by the Commission that the documents do not exist — Presumption of lawfulness — Error of law — Obligation to state reasons)

(2018/C 200/43)

Language of the case: German

Parties

Applicant: Verein Deutsche Sprache eV (Dortmund, Germany) (represented by: W. Ehrhardt, lawyer)

Defendant: European Commission (represented by: F. Erlbacher and F. Clotuche-Duvieusart, acting as Agents)