

Defendant: European Union Intellectual Property Office (represented by: E. Zaera Cuadrado, acting as Agent)

Other party to the proceedings before the Board of Appeal of EUIPO, intervener before the General Court: Hug AG (Malters, Switzerland) (represented by: A. Renck and J. Schmitt, lawyers)

Re:

Action brought against the decision of the Fourth Board of Appeal of EUIPO of 13 June 2016 (Case R 773/2015-4) relating to opposition proceedings between Hug and Galletas Gullón.

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders Galletas Gullón, SA to bear its own costs and to pay those incurred by the European Union Intellectual Property Office (EUIPO) and by Hug AG.

⁽¹⁾ OJ C 383, 17.10.2016.

Judgment of the General Court of 16 November 2017 — Acquafarm v Commission

(Case T-458/16) ⁽¹⁾

(Non-contractual liability — Fisheries — Operational programme financed by the European Union — EU rules prohibiting imports of crustaceans from Australia — Sufficiently serious breach of a rule of law conferring rights on individuals — Omission to act — Legitimate expectations)

(2018/C 005/45)

Language of the case: Spanish

Parties

Applicant: Acquafarm, SL (Huelva, Spain) (represented by: A. Pérez Moreno, lawyer)

Defendant: European Commission (represented by: P. Arenas, I. Galindo Martín and F. Moro, Agents)

Re:

Action under Article 268 TFEU claiming compensation for the injury allegedly suffered by the applicant as a result of the impossibility of completing an aquaculture project involving crustaceans from Australia and co-financed on the basis of Council Regulation (EC) No 1198/2006 of 27 July 2006 on the European Fisheries Fund (OJ 2006 L 223, p. 1) by reason of the ban on importing those crustaceans in accordance with the provisions of Commission Regulation (EC) No 1251/2008 of 12 December 2008 implementing Council Directive 2006/88/EC as regards conditions and certification requirements for the placing on the market and the import into the Community of aquaculture animals and products thereof and laying down a list of vector species (OJ 2008 L 337, p. 41).

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders Acquafarm, SL to bear its own costs and to pay those incurred by the European Commission.

⁽¹⁾ OJ C 419, 14.11.2016.