

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

(Case T-426/16) <sup>(1)</sup>

*(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 Ceniceros 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.

---

<sup>(1)</sup> OJ C 364, 3.10.2016.

---

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

(Case T-468/16) <sup>(1)</sup>

*(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)

**Re:**

Application on the basis of Article 263 TFEU seeking the annulment of Commission Decision C(2016) 3714 final of 10 June 2016 relating to a request for access, made by the applicant under Regulation (EC) No 1049/2001 of the European Parliament and of the Council regarding public access to European Parliament, Council and Commission documents (OJ 2001 L 145, p. 43), to certain 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.

**Operative part of the judgment**

*The Court:*

1. *Dismisses the action;*
2. *Orders the Verein Deutsche Sprache eV to pay the costs.*

---

<sup>(1)</sup> OJ C 371, 10.10.2016.

---

**Judgment of the General Court of 23 April 2018 – Vincenti v EUIPO**

(Case T-747/16) <sup>(1)</sup>

**(Civil service — Officials — Social security — Opinion of the Invalidity Committee — Discretion of Appointing Authority — Articles 53 and 78 of the Staff Regulations — Error of assessment — Obligation to state reasons)**

(2018/C 200/44)

*Language of the case: English*

**Parties**

*Applicant:* Guillaume Vincenti (Alicante, Spain) (represented by: H. Tettenborn, lawyer)

*Defendant:* European Union Intellectual Property Office (represented by: A. Lukošiuūtė, acting as Agent)

**Re:**

Action brought under Article 270 TFEU, seeking annulment of the decision of EUIPO of 18 December 2015 refusing to recognise the applicant's permanent total incapacity and to declare that he is to be retired.

**Operative part of the judgment**

*The Court:*

1. *Dismisses the action;*
2. *Orders Guillaume Vincenti to pay the costs.*

---

<sup>(1)</sup> OJ C 14, 16.1.2017.