

*Defendant:* Council of the European Union (represented by: initially I. Gurov and G. Étienne, and subsequently I. Gurov and A. Vitro, acting as Agents)

**Re:**

Action pursuant to Article 263 TFEU seeking the annulment of Council Decision (CFSP) 2016/850 of 27 May 2016 amending Decision 2013/255/CFSP concerning restrictive measures against Syria (OJ 2016 L 141, p. 125), of Council Implementing Regulation (EU) 2016/840 of 27 May 2016 implementing Regulation (EU) No 36/2012 concerning restrictive measures in view of the situation in Syria (OJ 2016 L 141, p. 30), of Council Decision (CFSP) 2017/917 of 29 May 2017 amending Decision 2013/255/CFSP concerning restrictive measures against Syria (OJ 2017 L 139, p. 62), and of Council Implementing Regulation (EU) 2017/907 of 29 May 2017 implementing Regulation (EU) No 36/2012 concerning restrictive measures in view of the situation in Syria (OJ 2017 L 139, p. 15), in so far as those measures apply to the applicant.

**Operative part of the judgment**

*The Court:*

1. *Dismisses the action;*
2. *Orders HX to bear his own costs and to pay the costs incurred by the Council of the European Union.*

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<sup>(1)</sup> OJ C 419, 14.11.2016.

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**Judgment of the General Court of 7 June 2018 — MIP Metro v EUIPO — AFNOR (N & NF TRADING)**

(Case T-807/16) <sup>(1)</sup>

***(EU trade mark — Opposition proceedings — International registration designating the European Union — Word mark N & NF TRADING — Earlier EU figurative mark NF ENVIRONNEMENT — Relative ground for refusal — Likelihood of confusion — Lack of enhanced distinctiveness of the earlier mark — Article 8(1)(b) of Regulation (EC) No 207/2009 (now Article 8(1)(b) of Regulation (EU) 2017/1001)***

(2018/C 268/40)

*Language of the case: English*

**Parties**

*Applicant:* MIP Metro Group Intellectual Property GmbH & Co. KG (Düsseldorf, Germany) (represented by: J.-C. Plate and R. Kaase, lawyers)

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

*Other party to the proceedings before the Board of Appeal of EUIPO, intervener before the General Court:* Association française de normalisation (AFNOR) (La Plaine Saint-Denis, France) (represented by: B. Fontaine, lawyer)

**Re:**

Action brought against the decision of the First Board of Appeal of EUIPO of 14 July 2016 (Case R 1109/2015-1), relating to opposition proceedings between AFNOR and MIP Metro Group Intellectual Property.

**Operative part of the judgment**

*The Court:*

1. *Dismisses the action;*
2. *Orders MIP Metro Group Intellectual Property GmbH & Co. KG to pay the costs.*

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<sup>(1)</sup> OJ C 22, 23.1.17.

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**Judgment of the General Court of 19 June 2018 — Damm v EUIPO — Schlossbrauerei Au, Willibald Beck Freiherr von Peccoz (EISKELLER)**

(Case T-859/16) <sup>(1)</sup>

*(EU trade mark — Opposition proceedings — Application for EU figurative mark EISKELLER — Earlier national word marks KELER and KELER 18 — Relative ground for refusal — No similarity between the signs — No likelihood of confusion — Article 8(1)(b) of Regulation (EC) No 207/2009 (now Article 8(1)(b) of Regulation (EU) 2017/1001))*

(2018/C 268/41)

*Language of the case: English*

**Parties**

*Applicant:* Sociedad Anónima Damm (Barcelona, Spain) (represented by: P. González-Bueno Catalán de Ocón and C. Aguilera Montañez, lawyers)

*Defendant:* European Union Intellectual Property Office (represented by: I. Harrington, D. Hanf, V. Ruzek and D. Walicka, acting as Agents)

*Other party to the proceedings before the Board of Appeal of EUIPO, intervener before the General Court:* Schlossbrauerei Au, Willibald Beck Freiherr von Peccoz GmbH & Co. KG (Au-Hallertau, Germany) (represented by: C. Thomas and V. Schwepler, lawyers)

**Re:**

Action brought against the decision of the Fifth Board of Appeal of EUIPO of 5 September 2016 (Case R 2428/2015-5), relating to opposition proceedings between Sociedad Anónima Damm and Schlossbrauerei Au, Willibald Beck Freiherr von Peccoz.

**Operative part of the judgment**

*The Court:*

1. *Dismisses the action;*
2. *Orders Sociedad Anónima Damm to pay the costs.*

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<sup>(1)</sup> OJ C 38, 6.2.2017.