

2. Allergopharma GmbH & Co. KG shall bear its own costs and pay those incurred by the European Commission.
3. Bencard Allergie GmbH shall bear its own costs.

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<sup>(1)</sup> OJ C 328, 5.10.2015.

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**Order of the General Court of 23 April 2018 — Winkler v Commission**

**(Case T-916/16) <sup>(1)</sup>**

***(Civil service — Officials — Transfer of national pension rights — Proposal concerning additional pensionable years — Measure not open to challenge — Act not having an adverse effect — Manifest inadmissibility)***

(2018/C 221/30)

Language of the case: German

**Parties**

*Applicant:* Bernd Winkler (Grange, Ireland) (represented by: A. Kässens, lawyer)

*Defendant:* European Commission (represented by: T. Bohr and L. Radu Bouyon, acting as Agents)

**Re:**

ACTION based on Article 270 TFEU and seeking, first, annulment of the Commission note of 20 April 2016 on a proposal concerning the additional pensionable years to be taken into consideration in the European Union pension scheme, following a request for transfer of pension rights acquired by the applicant before entering the service of the Union and, secondly, to obtain compensation for the damage allegedly suffered by the applicant as a result of the unlawful acts allegedly committed by the Commission when processing that request for transfer.

**Operative part of the order**

1. *The action is dismissed.*
2. *Bernd Winkler is ordered to pay the costs.*

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<sup>(1)</sup> OJ C 46, 13.2.2017.

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**Order of the General Court of 3 May 2018 — Siberian Vodka v EUIPO — Schwarze und Schlichte (DIAMOND ICE)**

**(Case T-234/17) <sup>(1)</sup>**

***(EU trade mark — Opposition proceedings — International registration designating the European Union — Word mark DIAMOND ICE — Earlier EU word mark DIAMOND CUT — Relative ground for refusal — Likelihood of confusion — Similarity of the signs — Article 8(1)(b) of Regulation (EC) No 207/2009 (now Article 8(1)(b) of Regulation (EU) 2017/1001) — Action manifestly lacking any foundation in law)***

(2018/C 221/31)

Language of the case: German

**Parties**

*Applicant:* Siberian Vodka AG (Herisau, Switzerland) (represented by: O. Bischof, lawyer)