By order of 14 December 2017 the Court of Justice (Seventh Chamber) held that the appeal was inadmissible.

Appeal brought on 11 September 2017 by Josel, SL against the judgment of the General Court (Sixth Chamber) delivered on 28 June 2017 in Case T-333/15: Josel v EUIPO — Nationale-Nederlanden Nederland

(Case C-536/17 P)

(2018/C 083/14)

Language of the case: English

Parties

Appellant: Josel, SL (represented by: J. Güell Serra, abogado)

Other parties to the proceedings: European Union Intellectual Property Office, Nationale-Nederlanden Nederland BV

By order of 17 January 2018 the Court of Justice (Ninth Chamber) held that the appeal was inadmissible.

Appeal brought on 21 September 2017 by Cafés Pont SL against the judgment of the General Court (Fifth Chamber) delivered on 20 July 2017 in Case T-309/16: Cafés Pont v EUIPO — Giordano Vini

(Case C-559/17 P)

(2018/C 083/15)

Language of the case: English

Parties

Appellant: Cafés Pont SL (represented by: E. Manresa Medina, abogado)

Other parties to the proceedings: European Union Intellectual Property Office, Giordano Vini SpA

By order of 11 January 2018 the Court of Justice (Tenth Chamber) held that the appeal was inadmissible.

Appeal brought on 28 November 2017 by Viridis Pharmaceutical Ltd against the judgment of the General Court (Second Chamber) delivered on 15 September 2017 in Case T-276/16, Viridis Pharmaceutical Ltd v European Union Intellectual Property Office (EUIPO)

(Case C-668/17 P)

(2018/C 083/16)

Language of the case: German

Parties

Appellant: Viridis Pharmaceutical Ltd (represented by: C. Spintig, Rechtsanwalt, S. Pietzcker, Rechtsanwalt, M. Prasse, Rechtsanwältin)

Other parties to the proceedings: European Union Intellectual Property Office (EUIPO), Hecht-Pharma GmbH

Form of order sought

The appellant claims that the Court should:

1. set aside the judgment under appeal of the Second Chamber of the General Court;

2. refer the case back to the General Court;

3. order EUIPO to pay the appellant's costs;

In the alternative: order that the costs be reserved.

Grounds of appeal and main arguments

By the present appeal, the appellant claims that the General Court, in the judgment under appeal, infringed the EU trade mark Regulation ([1]) in several ways.

First, the appellant claims that the General Court infringed the first alternative set out in the first sentence of Article 58(1)(a) of the EU trade mark Regulation. The General Court, it submits, erred in law in assuming that use of a registered EU trade mark for a medicinal product for the purpose of preserving the rights in that trade mark can exist only where the necessary authorisation under the law relating to medicinal products has been issued. Moreover, the General Court also infringed that same rule by classifying the use of an EU trade mark in the context of a clinical study carried out in accordance with Article 8(3)(i) of Directive 2001/83/EC ([2]) as inherently mandatory and therefore as not constituting genuine use.

Furthermore, the appellant alleges infringement of the second alternative set out in the first sentence of Article 58(1)(a) of the EU trade mark Regulation. The General Court, it submits, erred in law in assuming that a clinical study carried out for the purposes of preparing an application for authorisation of a new medicinal product under the law governing medicinal products cannot then be used to justify the non-use of a trade mark if the clinical study was not applied until a significant amount of time had elapsed since registration of the trade mark and/or if the financial resources spent were not sufficient to enable the clinical study to be completed as rapidly as possible.

([1]) Regulation (EU) 2017/1001 of the European Parliament and of the Council of 14 June 2017 on the European Union trade mark (OJ 2017 L 154, p. 1).

([2]) Directive 2001/83/EC of the European Parliament and of the Council of 6 November 2001 on the Community code relating to medicinal products for human use (OJ 2001 L 311, p. 67).

Request for a preliminary ruling from the Helsingin käräjäoikeus (Finland) lodged on 12 December 2017 — Metirato Oy, in liquidation v Finnish State / Tax Authority, Estonian State / Maksu- ja Tolliamet

(Case C-695/17)

(2018/C 083/17)

Language of the case: Finnish

Referring court

Helsingin käräjäoikeus

Parties to the main proceedings

Applicant: Metirato Oy, in liquidation

Defendants: Finnish State / Tax Authority, Estonian State / Maksu- ja Tolliamet

Questions referred

1. Must the provisions of Article 13(1) of [Directive 2010/24] ([1]), according to which debts to be recovered pursuant to a request for recovery are to be treated by the requested State as being the debts of that State, be interpreted as meaning that