

Defendant: European Union Intellectual Property Office (represented by: M. Capostagno and A. Folliard-Monguiral, acting as Agents)

Re:

Action brought against the decision of the Fifth Board of Appeal of EUIPO of 1 March 2017 (Case R 1518/2016-5) concerning an application for registration of the word sign MEZZA as an EU trade mark.

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders Nosio SpA to pay the costs.

⁽¹⁾ OJ C 231, 17.7.2017.

Judgment of the General Court of 31 May 2018 — Korwin-Mikke v Parliament

(Case T-352/17) ⁽¹⁾

(Law governing the institutions — European Parliament — Rules of Procedure of the Parliament — Statement adversely affecting the dignity of the Parliament and the smooth conduct of parliamentary business — Disciplinary sanctions of forfeiture of entitlement to the subsistence allowance and temporary suspension from participation in all activities of the Parliament — Freedom of expression — Obligation to state reasons — Error of law)

(2018/C 249/40)

Language of the case: French

Parties

Applicant: Janusz Korwin-Mikke (Józefów, Poland) (represented by: M. Cherchi, A. Daoût and M. Dekleermaker, lawyers)

Defendant: European Parliament (represented by: N. Görlitz, S. Seyr and S. Alonso de León, acting as Agents)

Re:

First, action brought under Article 263 TFEU and seeking annulment of the decision of the President of the Parliament of 14 March 2017 and of the decision of the Bureau of the Parliament of 3 April 2017 imposing on the applicant the penalty of forfeiture of entitlement to the subsistence allowance for a period of 30 days, temporary suspension from participation in all activities of the Parliament for a period of 10 consecutive days and prohibition of representing the Parliament for a period of one year and, second, action brought under Article 268 TEU and seeking compensation for the harm allegedly suffered by the applicant as a result of those decisions.

Operative part of the judgment

The Court:

1. Annuls the Decision of the Bureau of the European Parliament of 3 April 2017;
2. Dismisses the claim for damages;

3. Orders Mr Janusz Korwin-Mikke and the Parliament each to bear their own respective costs.

⁽¹⁾ OJ C 239, 24.7.2017.

Order of the General Court of 17 May 2018 — Westfälische Drahtindustrie and Others v Commission

(Case T-393/10 INTP) ⁽¹⁾

(Proceedings — Interpretation of a judgment — Rectification — Failure to adjudicate)

(2018/C 249/41)

Language of the case: German

Parties

Applicants: Westfälische Drahtindustrie GmbH (Hamm, Germany), Westfälische Drahtindustrie Verwaltungsgesellschaft mbH & Co. KG (Hamm), Pampus Industriebeteiligungen GmbH & Co. KG (Iserlohn, Germany) (represented by: C. Stadler, lawyer)

Defendant: European Commission (represented by: V. Bottka, H. Leupold and G. Meessen, acting as Agents)

Re:

Request for interpretation of the judgment of 15 July 2015, *Westfälische Drahtindustrie and Others v Commission* (T-393/10, EU:T:2015:515) and, in the alternative, application for rectification of and compensation for the failure to adjudicate in respect of that judgment.

Operative part of the order

1. *The action is dismissed.*
2. *Westfälische Drahtindustrie GmbH, Westfälische Drahtindustrie Verwaltungsgesellschaft mbH & Co. KG and Pampus Industriebeteiligungen GmbH & Co. KG are ordered to pay the costs.*

⁽¹⁾ OJ C 301, 6.11.2010.

Order of the General Court of 17 April 2018 — Westbrae Natural v EUIPO — Kaufland Warenhandel (COCONUT DREAM)

(Case T-65/17) ⁽¹⁾

(European Union trade mark — Opposition proceedings — Application for EU word mark COCONUT DREAM — Withdrawal of the opposition — Action which has become devoid of purpose — No need to adjudicate)

(2018/C 249/42)

Language of the case: English

Parties

Applicant: Westbrae Natural, Inc. (New York, New York, United States) (represented by: D. McFarland, Barrister)

Defendant: European Union Intellectual Property Office (represented by: S. Hanne, acting as Agent)