

2. Orders CeramTec GmbH to bear its own costs and pay those incurred by the European Union Intellectual Property Office (EUIPO) and C5 Medical Werks.

⁽¹⁾ OJ C 161, 22.5.2017.

Judgment of the General Court of 3 May 2018 — SB v EUIPO

(Case T-200/17) ⁽¹⁾

(Civil service — Temporary staff — Fixed-term contract — Decision not to renew — Plea of illegality — Duty to state reasons — Duty to have regard for the welfare of staff — Discrimination on grounds of age)

(2018/C 221/27)

Language of the case: English

Parties

Applicant: SB (represented by: S. Pappas, lawyer)

Defendant: European Union Intellectual Property Office (represented by: K. Tóth and A. Lukošūūtė, acting as Agents)

Re:

Application under Article 270 TFEU for annulment of the decision of the Executive Director of EUIPO dated 2 June 2016 refusing a second renewal of the applicant's contract and that director's decision dated 19 December 2016 rejecting the complaint brought by the applicant.

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders SB to pay the costs.

⁽¹⁾ OJ C 178, 6.6.2017.

Judgment of the General Court of 3 May 2018 — Raise Conseil v EUIPO — Raizers (RAISE)

(Case T-463/17) ⁽¹⁾

(European Union trade mark — Invalidity proceedings — EU word mark RAISE — Absolute ground for refusal — Distinctive character — Article 7(1)(b) of Regulation (EC) No 207/2009 (now Article 7(1)(b) of Regulation (EU) 2017/1001) — Distinctive character acquired through use — Article 7(3) of Regulation No 207/2009 (now Article 7(3) of Regulation 2017/1001) — Article 52(1) and (2) of Regulation No 207/2009 (now Article 59(1) and(2) of Regulation 2017/1001))

(2018/C 221/28)

Language of the case: French

Parties

Applicant: Raise Conseil (Paris, France) (represented by: F. Fajgenbaum and T. Lachacinski, lawyers)

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

Other party to the proceedings before the Board of Appeal of EUIPO, intervener before the Court: Raizers (Paris) (represented by: E. Fortunet, lawyer)

Re

Action brought against the decision of the Fifth Board of Appeal of EUIPO of 24 May 2017 (Case R 1606/2016-5), relating to invalidity proceedings between Raizers and Raise Conseil.

Operative part of the judgment

The Court:

- 1) *Dismisses the action;*
- 2) *Orders Raise Conseil to pay the costs.*

⁽¹⁾ OJ C 330, 2.10.2017.

Order of the General Court of 19 April 2018 — Allergopharma v Commission

(Case T-354/15) ⁽¹⁾

(Action for annulment — State aid — Aid scheme providing for the grant of an exemption from the mandatory rebate on certain pharmaceutical products — Decision declaring the aid scheme compatible with the internal market — No individual concern — Act entailing implementing measures — Inadmissibility)

(2018/C 221/29)

Language of the case: German

Parties

Applicant: Allergopharma GmbH & Co. KG (Reinbek, Germany) (represented by: T. Müller-Ibold, and F.-C. Laprèvote, lawyers)

Defendant: European Commission (represented by: K. Herrmann and T. Maxian Rusche, acting as Agents)

Intervener in support of the defendant: Bencard Allergie GmbH (Munich, Germany) (represented by: J. Fiegler, lawyer)

Re:

Application based on Article 263 TFEU and seeking annulment of Commission Decision (EU) 2015/1300 of 27 March 2015 on the aid scheme — aid to German pharmaceutical companies in financial difficulties through the exemptions from mandatory rebates SA.34881 (2013/C) (ex 2013/NN) (ex 2012/CP) (OJ 2015 L 199, p. 27).

Operative part of the order

1. *The action is dismissed as being inadmissible.*