

**Operative part of the judgment**

The Court:

1. Dismisses the action;
2. Orders DRH Licensing & Managing AG to pay the costs.

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<sup>(1)</sup> OJ C 52, 12.2.2018.

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**Judgment of the General Court of 20 November 2018 — Asahi Intecc v EUIPO — Celesio (Celeson)**

(Case T-36/18) <sup>(1)</sup>

*(EU trade mark — Opposition proceedings — International registration designating the European Union — Word mark Celeson — Earlier international word mark CELESIO — Relative ground for refusal — Likelihood of confusion — Article 8(1)(b) of Regulation (EU) 2017/1001)*

(2019/C 25/54)

Language of the case: English

**Parties**

*Applicant:* Asahi Intecc Co., Ltd (Nagoya, Japan) (represented by: T. Schmidpeter, lawyer)

*Defendant:* European Union Intellectual Property Office (represented by: M. Rajh and D. Walicka, acting as Agents)

*Other party to the proceedings before the Board of Appeal of EUIPO:* Celesio AG (Stuttgart, Germany)

**Re:**

Action brought against the decision of the Fourth Board of Appeal of EUIPO of 20 November 2017 (Case R 1004/2017-4), relating to opposition proceedings between Celesio and Asahi Intecc.

**Operative part of the judgment**

The Court:

1. Dismisses the action;
2. Orders Asahi Intecc Co., Ltd to bear the costs.

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<sup>(1)</sup> OJ C 104, 19.3.2018.

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**Action brought on 26 October 2018 — Bonnafous v Commission**

(Case T-646/18)

(2019/C 25/55)

Language of the case: French

**Parties**

*Applicant:* Laurence Bonnafous (Brussels, Belgium) (represented by: A. Blot and S. Rodrigues, lawyers)

*Defendant:* European Commission

**Form of order sought**

The applicant claims that the Court should:

— declare that the present action is admissible and well founded;

consequently,

— annul the contested decision;

— order the defendant to pay all of the costs.

**Pleas in law and main arguments**

In support of her action seeking annulment of the Commission decision of 9 October 2018 rejecting the confirmatory application for access to a document (the 2018 Audit Service Report on HR Management in the Education, Audiovisual and Culture Executive Agency, registered under internal registration number ARES(2018)361356 and dated 21 January 2018), the applicant relies on three pleas in law.

1. First plea in law, alleging infringement of Regulation No 1049/2001, of Article 15(3) TFEU and of Article 42 of the Charter, on the ground that the Commission failed to fulfil its obligations resulting from the public's right of access to the documents of the institutions and the duty of transparency.
2. Second plea in law, alleging infringement of Article 296 TFEU and of Article 41 of the Charter, that is, the duty to state reasons, in that the analysis set out in the contested decision relies on general statements and abstract reasoning.
3. Third plea in law, alleging breach of the principle of proportionality, on the ground that the Commission refused to grant access to the requested document by wrongly invoking a general presumption of non-disclosure.

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**Action brought on 31 October 2018 — Armani v EUIPO — Asunción (GIORGIO ARMANI le Sac 11)**

**(Case T-653/18)**

(2019/C 25/56)

*Language of the case: English*

**Parties**

*Applicant:* Giorgio Armani SpA (Milano, Italy) (represented by: S. Martínez-Almeida y Alejos-Pita, lawyer)

*Defendant:* European Union Intellectual Property Office (EUIPO)

*Other party to the proceedings before the Board of Appeal:* Felipe Domingo Asunción (Madrid, Spain)

**Details of the proceedings before EUIPO**

*Applicant of the trade mark at issue:* Applicant before the General Court

*Trade mark at issue:* Application for European Union figurative mark GIORGIO ARMANI le Sac 11 — Application for registration No 13 826 623

*Procedure before EUIPO:* Opposition proceedings

*Contested decision:* Decision of the Fourth Board of Appeal of EUIPO of 13 August 2018 in Case R 2462/2017-4