

Order of the General Court of 21 December 2021 — Luna Italia v EUIPO — Luna (LUNA SPLENDIDA)

(Case T-571/20) ⁽¹⁾

(EU trade mark — Invalidity proceedings — EU figurative mark LUNA SPLENDIDA — Earlier EU figurative mark Luna — Relative ground for refusal — Article 53(1)(a) and Article 8(1)(b) of Regulation (EC) No 207/2009 (now Article 60(1)(a) and Article 8(1)(b) of Regulation (EU) 2017/1001) — Action manifestly lacking any foundation in law)

(2022/C 119/59)

Language of the case: English

Parties

Applicant: Luna Italia Srl (Cantù, Italy) (represented by: N. Papakostas, lawyer)

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

Other party to the proceedings before the Board of Appeal of EUIPO intervening before the General Court: Luna AE (Agios Stefanos, Greece) (represented by: M. Sioufas, lawyer)

Re:

Action brought against the decision of the Fifth Board of Appeal of EUIPO of 26 June 2020 (Case R 1895/2019 5), concerning invalidity proceedings between Luna and Luna Italia.

Operative part of the order

1. The action is dismissed as manifestly lacking any foundation in law.
2. Luna Italia Srl is ordered to bear, in addition to its own costs, those incurred by the European Union Intellectual Property Office (EUIPO) and Luna AE.

⁽¹⁾ OJ C 44, 8.2.2021.

Order of the General Court of 22 December 2021 — Guangdong Haomei New Materials and Guangdong King Metal Light Alloy Technology v Commission

(Case T-604/20) ⁽¹⁾

(Dumping — Imports of aluminium extrusions originating in China — Act making imports subject to registration — Provisional anti-dumping duty — Suspension of the registration obligation — Definitive anti-dumping duty — No longer any interest in bringing proceedings — No need to adjudicate)

(2022/C 119/60)

Language of the case: Italian

Parties

Applicants: Guangdong Haomei New Materials Co. Ltd (Qingyuan, China) and Guangdong King Metal Light Alloy Technology Co. Ltd (Yuan Tan Town, China) (represented by: M. Maresca, C. Malinconico, D. Maresca, A. Cerruti, A. Malinconico, G. La Malfa Ribolla, D. Guardamagna and M. Guardamagna, lawyers)

Defendant: European Commission (represented by: G. Luengo, P. Němečková and F. Tomat, acting as Agents)

Re:

Application under Article 263 TFEU for annulment of Commission Implementing Regulation (EU) 2020/1215 of 21 August 2020 making imports of aluminium extrusions originating in the People's Republic of China subject to registration (OJ 2020 L 275, p. 16).

Operative part of the order

1. There is no longer any need to adjudicate on the action.
2. Guangdong Haomei New Materials Co. Ltd and Guangdong King Metal Light Alloy Technology Co. Ltd shall bear their own costs and shall pay the costs incurred by the European Commission.
3. Guangdong Haomei New Materials, Guangdong King Metal Light Alloy Technology, the Commission and Airoldi Metalli SpA shall each bear their own costs relating to the application for leave to intervene.

(¹) OJ C 390, 16.11.2020.

Order of the General Court of 22 December 2021 — Guangdong Haomei New Materials and Guangdong King Metal Light Alloy Technology v Commission

(Case T-725/20) (¹)

(Dumping — Imports of aluminium extrusions originating in China — Act imposing a provisional anti-dumping duty — Act not open to challenge — Preparatory act — Inadmissibility — Definitive anti-dumping duty — No longer any interest in bringing proceedings — No need to adjudicate)

(2022/C 119/61)

Language of the case: Italian

Parties

Applicants: Guangdong Haomei New Materials Co. Ltd (Qingyuan, China) and Guangdong King Metal Light Alloy Technology Co. Ltd (Yuan Tan Town, China) (represented by: M. Maresca, C. Malinconico, D. Guardamagna, M. Guardamagna, D. Maresca, A. Cerruti, A. Malinconico and G. La Malfa Ribolla, lawyers)

Defendant: European Commission (represented by: G. Luengo, P. Němečková and F. Tomat, acting as Agents)

Re:

Application under Article 263 TFEU for, primarily, annulment of Commission Implementing Regulation (EU) 2020/1428 of 12 October 2020 imposing a provisional anti-dumping duty on imports of aluminium extrusions originating in the People's Republic of China (OJ 2020 L 336, p. 8), and, in the alternative, annulment of Regulation (EU) 2016/1036 of the European Parliament and of the Council of 8 June 2016 on protection against dumped imports from countries not members of the European Union (OJ 2016 L 176, p. 21).

Operative part of the order

1. The action is dismissed as inadmissible.
2. Guangdong Haomei New Materials Co. Ltd and Guangdong King Metal Light Alloy Technology Co. Ltd shall pay the costs.

(¹) OJ C 44, 8.2.2021.