

JUDGMENT OF THE COURT OF FIRST INSTANCE

of 19 September 2001

in Case T-118/00: Procter & Gamble Company v Office for Harmonisation in the Internal Market (Trade Marks and Designs) (OHIM) ⁽¹⁾

(Community trade mark — Shape of a product for washing machines or dishwashers — Three-dimensional mark — Absolute ground for refusal — Article 7(1)(b) of Regulation (EC) No 40/94)

(2002/C 3/45)

(Language of the case: English)

In Case T-118/00: Procter & Gamble Company, established in Cincinnati, Ohio (United States of America), represented by C.J.J.C. van Nispen and G. Kuipers, lawyers, with an address for service in Luxembourg, against Office for Harmonisation in the Internal Market (Trade Marks and Designs) (OHIM) (Agents: A. von Mühlendahl, D. Schennen and C. Røhl Søberg) — application brought against the decision of the First Board of Appeal of the Office for Harmonisation in the Internal Market (Trade Marks and Designs) of 3 March 2000 (Case R-516/1999-1), which was notified to the applicant on 7 March 2000 — the Court of First Instance (Second Chamber), composed of A.W.H. Meij, President, A. Potocki and J. Pirrung, Judges; D. Christensen, Administrator, for the Registrar, has given a judgment on 19 September 2001, in which it:

1. *Dismisses the action;*
2. *Orders the parties to bear their own costs.*

⁽¹⁾ OJ C 192 of 8.7.2000.

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(Community trade mark — Shape of a product for washing machines or dishwashers — Three-dimensional mark — Absolute ground for refusal — Article 7(1)(b) of Regulation (EC) No 40/94)

(2002/C 3/46)

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In Case T-119/00: Procter & Gamble Company, established in Cincinnati, Ohio (United States of America), represented by C.J.J.C. van Nispen and G. Kuipers, lawyers, with an address for service in Luxembourg, against Office for Harmonisation in the Internal Market (Trade Marks and Designs) (OHIM) (Agents: A. von Mühlendahl, D. Schennen and C. Røhl Søberg) — application brought against the decision of the First Board of Appeal of the Office for Harmonisation in the Internal Market (Trade Marks and Designs) of 29 February 2000 (Case R-519/1999-1), which was notified to the applicant on 3 March 2000 — the Court of First Instance (Second Chamber), composed of A.W.H. Meij, President, A. Potocki and J. Pirrung, Judges; D. Christensen, Administrator, for the Registrar, has given a judgment on 19 September 2001, in which it:

1. *Dismisses the action;*
2. *Orders the parties to bear their own costs.*

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