

2. Orders the applicant to pay the costs.

(¹) OJ C 227 of 11.8.2001.

2. Orders the applicant to pay the costs.

(¹) OJ C 245 of 1.9.2001.

JUDGMENT OF THE COURT OF FIRST INSTANCE

of 3 July 2003

in Case T-129/01: José Alejandro, SL v Office for Harmonisation in the Internal Market (Trade Marks and Designs) (OHIM) (¹)

(Community trade mark — Opposition procedure — Earlier national word marks BUD — Application for Community word mark BUDMEN — Relative ground for refusal — Article 8(1)(b) of Regulation No 40/94)

(2003/C 213/59)

(Language of the case: Spanish)

In Case T-129/01, José Alejandro SL, established in Alicante (Spain), represented by I. Temiño Cenicerros, lawyer, v Office for Harmonisation in the Internal Market (Trade Marks and Designs) (OHIM) (Agents: F. López de Rego and J.F. Crespo Carrillo); Intervener, Anheuser-Busch Inc., established in Saint Louis, Missouri (United States), represented by V. von Bomhard, lawyer: Action brought against the decision of the First Board of Appeal of the Office for Harmonisation in the Internal Market (Trade Marks and Designs) of 20 March 2001 (Case R 230/2000-1), concerning an opposition procedure between Anheuser-Busch Inc. and José Alejandro SL, the Court of First Instance (Second Chamber), composed of: N.J. Forwood, President, J. Pirrung and A.W.H. Meij, Judges; J. Palacio González, Principal Administrator, for the Registrar, has given a judgment on 3 July 2003, in which it:

1. Dismisses the action;

JUDGMENT OF THE COURT OF FIRST INSTANCE

of 9 July 2003

in Case T-156/01: Laboratorios RTB, SL v Office for Harmonisation in the Internal Market (Trade Marks and Designs) (OHIM) (¹)

(Community trade mark — Invalidity proceedings — Article 52(1)(a) of Regulation (EC) No 40/94 — Earlier figurative and word marks containing the word GIORGI — Application for Community word mark GIORGIO AIRE — Relative ground for refusal — Article 8(1)(b) of Regulation No 40/94 — Proof of use — Article 56(2) and (3) of Regulation No 40/94)

(2003/C 213/60)

(Language of the case: Spanish)

In Case T-156/01, Laboratorios RTB, SL, established in Bigues i Riells (Spain), represented by A. Canela Giménez, lawyer, v Office for Harmonisation in the Internal Market (Trade Marks and Designs) (OHIM) (Agents: O. Montalto and J.F. Crespo Carrillo): Action brought against the decision of the First Board of Appeal of the Office for Harmonisation in the Internal Market (Trade Marks and Designs) of 11 April 2001 (Case R 258/2000-1), the Court of First Instance (Fourth Chamber), composed of: V. Tiili, President, P. Mengozzi, and M. Vilaras, Judges; B. Pastor, Deputy Registrar, has given a judgment on 9 July 2003, in which it:

1. Dismisses the application;

2. Orders the applicant to pay the costs.

(¹) OJ C 259 of 15.9.2001.