

**Judgment of the Court of First Instance of 1 July 2009 —  
KG Holding and Others v Commission**

(Joined Cases T-81/07, T-82/07 and T-83/07) <sup>(1)</sup>

*(State aid — Restructuring aid granted by the Netherlands authorities to KG Holding NV — Decision declaring the aid incompatible with the common market and ordering its recovery — Action for annulment — Partial inadmissibility — Recovery of aid from recipient undertakings declared bankrupt — Community Guidelines on State aid for rescuing and restructuring firms in difficulty)*

(2009/C 193/27)

Language of the case: Dutch

**Parties**

*Applicant in Case T-81/07:* Jan Rudolf Maas, acting in his capacity as administrator in the bankruptcy proceedings relating to KG Holding NV (Rotterdam, Netherlands) (represented by: G. van der Wal and T. Boesman, lawyers)

*Applicant in Case T-82/07:* Jan Rudolf Maas and Cornelis van den Bergh, acting in their capacity as administrators in the bankruptcy proceedings relating to Kliq BV (Rotterdam) (represented by: G. van der Wal and T. Boesman, lawyers)

*Applicant in Case T-83/07:* Jean Leon Marcel Groenewegen, acting in his capacity as administrator in the bankruptcy proceedings relating to Kliq Reïntegratie (Utrecht, Netherlands) (represented by: G. van der Wal and T. Boesman, lawyers)

*Defendant:* Commission of the European Communities (represented by: H. van Vliet, Agent)

**Re:**

Action for annulment of Commission Decision 2006/939/EC of 19 July 2006 on the aid measure notified by the Netherlands for KG Holding NV (OJ 2006 L 366, p. 40).

**Operative part of the judgment**

The Court:

1. Annuls Article 2 of Commission Decision 2006/939/EC of 19 July 2006 on the aid measure notified by the Kingdom of the Netherlands for KG Holding NV;
2. Dismisses the remainder of the applications;
3. Orders Jan Rudolf Maas, in his capacity as administrator in the bankruptcy proceedings relating to KG Holding NV, to bear his own costs in Case T-81/07;
4. Orders Jan Rudolf Maas and Cornelis van den Bergh, in their capacity as administrators in the bankruptcy proceedings relating to Kliq BV, to bear their own costs in Case T-82/07;

5. Orders Jean Leon Marcel Groenewegen, in his capacity as administrator in the bankruptcy proceedings relating to Kliq Reïntegratie, to bear, in addition to his own costs in Case T-83/07, those incurred by the Commission in Case T-83/07;

6. Orders the Commission to bear its own costs in Cases T-81/07 and T-82/07.

<sup>(1)</sup> OJ C 117, 29.5.2007.

**Judgment of the Court of First Instance of 2 July 2009 —  
Euro-Information v OHIM (Representing a hand holding a  
card with three triangles)**

(Case T-414/07) <sup>(1)</sup>

*(Community trade mark — Application for a Community figurative mark representing a hand holding a card with three triangles — Absolute ground for refusal — Absence of distinctive character — Article 7(1)(b) of Regulation (EC) No 40/94 (now Article 7(1)(b) of Regulation (EC) No 207/2009)*

(2009/C 193/28)

Language of the case: French

**Parties**

*Applicant:* Européenne de traitement de l'information (Euro-Information) (Strasbourg, France) (represented by: P. Greffe, M. Chaminade and L. Paudrat, lawyers)

*Defendant:* Office for Harmonisation in the Internal Market (Trade Marks and Designs) (represented by: O. Montalto and R. Bianchi, Agents)

**Re:**

Action brought against the decision of the First Board of Appeal of OHIM of 6 September 2007 (Case R 290/2007-1), rejecting the application for registration of a sign representing a hand holding a card with three triangles as a Community trade mark.

**Operative part of the judgment**

The Court:

1. Dismisses the action;
2. Orders Européenne de traitement de l'information (Euro-Information) to pay the costs.

<sup>(1)</sup> OJ C 22, 26.1.2008.