

**Judgment of the General Court of 30 January 2014 —
Streng v OHIM — Gismondi (PARAMETRICA)**

(Case T-495/11) ⁽¹⁾

(Community trade mark — Opposition proceedings — Application for Community word mark PARAMETRICA — Earlier national word mark parameta — Relative ground for refusal — Failure to produce evidence in the language of the opposition proceedings — Rule 19(2) and (3) and Rule 98(1) of Regulation (EC) No 2868/95)

(2014/C 71/28)

Language of the case: Italian

Parties

Applicant: Michael Streng (Erding, Germany) (represented by: A. Pappert, lawyer)

Defendant: Office for Harmonisation in the Internal Market (Trade Marks and Designs) (represented by: P. Bullock, acting as Agent)

Other party to the proceedings before the Board of Appeal of OHIM, intervener before the General Court: Fulvio Gismondi (Rome, Italy) (represented by: A. Masetti Zannini de Concina, G. Petrocchi, M. Bucarelli and F. Bellan, lawyers)

Re:

Action brought against the decision of the Fourth Board of Appeal of OHIM of 19 July 2011 (Case R 1348/2010-4) relating to opposition proceedings between Mr Michael Streng and Mr Fulvio Gismondi.

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders Mr Michael Streng to pay the costs.

⁽¹⁾ OJ C 347, 26.11.2011.

**Judgment of the General Court of 28 January 2014 —
Schuhhaus Dielmann v OHIM — Carrera (Carrera panamericana)**

(Case T-600/11) ⁽¹⁾

(Community trade mark — Opposition proceedings — International registration designating the European Community Carrera panamericana — Earlier Community figurative mark CARRERA — Relative ground for refusal — Likelihood of confusion — Article 8(1)(b) of Regulation (EC) No 207/2009 — Obligation to state reasons — Article 75 of Regulation No 207/2009)

(2014/C 71/29)

Language of the case: English

Parties

Applicant: Schuhhaus Dielmann GmbH & Co. KG (Darmstadt, Germany) (represented by: W. Göpfert, lawyer)

Defendant: Office for Harmonisation in the Internal Market (Trade Marks and Designs) (represented by: P. Bullock, acting as Agent)

Other party to the proceedings before the Board of Appeal of OHIM: Carrera SpA (Caldiero, Italy)

Re:

Action brought against the decision of the First Board of Appeal of OHIM of 15 September 2011 (Case R 1989/2010-1), relating to opposition proceedings between Carrera SpA and Schuhhaus Dielmann GmbH & Co. KG.

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders Schuhhaus Dielmann GmbH & Co. KG to pay the costs.

⁽¹⁾ OJ C 32, 4.2.2012.