

Order of the General Court of 10 November 2014 — Theophilou v Commission and ECB(Case T-293/13) ⁽¹⁾

(Action for annulment and compensation — Stability support programme for Cyprus — Memorandum of Understanding on Specific Economic Policy Conditionality concluded between the Republic of Cyprus and the ESM — Jurisdiction of the General Court — Causal link — Action in part inadmissible and in part manifestly lacking any foundation in law)

(2015/C 026/38)

Language of the case: English

Parties

Applicants: Christos Theophilou (Nicosia, Cyprus); and Eleni Theophilou (Nicosia, Cyprus) (represented by: C. Paschalides, Solicitor, and A. Paschalides, lawyer)

Defendants: European Commission (represented by: B. Smulders and J.-P. Keppenne, Agents); and European Central Bank (ECB) (represented by: A. Sáinz de Vicuña Barroso, N. Lenihan and F. Athanasiou, Agents, and by W. Bussian, W. Devroe and D. Arts, lawyers)

Re:

First, application for annulment of paragraphs 1.23 to 1.27 of the Memorandum of Understanding on Specific Economic Policy Conditionality concluded between the Republic of Cyprus and the European Stability Mechanism (ESM) on 26 April 2013, and, second, for compensation for damage allegedly suffered by the applicant as a result of the inclusion of paragraphs 1.23 to 1.27 in the Memorandum of Understanding and an infringement of the Commission's supervisory obligation.

Operative part of the order

1. *The action is dismissed.*
2. *Mr Christos Theophilou and Ms Eleni Theophilou shall bear their own costs and pay those incurred by the European Commission and by the European Central Bank (ECB).*

⁽¹⁾ OJ C 226, 3.8.2013.

Order of the General Court of 10 November 2014 — Fialtor v Commission and ECB(Case T-294/13) ⁽¹⁾

(Action for annulment and compensation — Stability support programme for Cyprus — Memorandum of Understanding on Specific Economic Policy Conditionality concluded between the Republic of Cyprus and the ESM — Jurisdiction of the General Court — Causal link — Action in part inadmissible and in part manifestly lacking any foundation in law)

(2015/C 026/39)

Language of the case: English

Parties

Applicant: Fialtor Ltd (Berlize City, Berlize) (represented by: C. Paschalides, Solicitor, and A. Paschalides, lawyer)

Defendants: European Commission (represented by: B. Smulders and J.-P. Keppenne, Agents); and European Central Bank (ECB) (represented by: A. Sáinz de Vicuña Barroso, N. Lenihan and F. Athanasiou, Agents, and by W. Bussian, W. Devroe and D. Arts, lawyers)

Re:

First, application for annulment of paragraphs 1.23 to 1.27 of the Memorandum of Understanding on Specific Economic Policy Conditionality concluded between the Republic of Cyprus and the European Stability Mechanism (ESM) on 26 April 2013, and, second, for compensation for damage allegedly suffered by the applicant as a result of the inclusion of paragraphs 1.23 to 1.27 in the Memorandum of Understanding and an infringement of the Commission's supervisory obligation.

Operative part of the order

1. *The action is dismissed.*
2. *Fialtor Ltd shall bear its own costs and pay those incurred by the European Commission and by the European Central Bank (ECB).*

⁽¹⁾ OJ C 226, 3.8.2013.

Order of the General Court of 11 November 2014 — LemonAid Beverages v OHIM — Pret a Manger (Europe) (LemonAid)

(Case T-298/13) ⁽¹⁾

(Community trade mark — Application for a declaration of invalidity — Withdrawal of the application — No need to adjudicate)

(2015/C 026/40)

Language of the case: English

Parties

Applicant: LemonAid Beverages GmbH (Hamburg, Germany) (represented by: U. Lüken and J. Natzel, lawyers, and P. Brownlow, Solicitor)

Defendant: Office for Harmonisation in the Internal Market (Trade Marks and Designs) (represented by: A. Folliard-Monguiral, acting as Agent)

Other party to the proceedings before the Board of Appeal of OHIM intervening before the General Court: Pret a Manger (Europe) Ltd (London, United Kingdom) (represented by: A. Tsoutsanis, lawyer, and S. Croxon, Solicitor)

Re:

Action brought against the decision of the Second Board of Appeal of OHIM of 13 March 2013 (Case R 276/2012-2), relating to invalidity proceedings between Pret à Manger (Europe) Ltd and LemonAid Beverages GmbH.

Operative part of the order

1. *There is no longer any need to adjudicate on the action.*
2. *The applicant and the intervener shall each bear their own costs and each shall pay one half of the costs incurred by the defendant.*

⁽¹⁾ OJ C 215, 27.2.2013.