

**Judgment of the General Court of 30 November 2016 — Fiesta Hotels & Resorts v EUIPO —
Residencial Palladium (PALLADIUM PALACE IBIZA RESORT & SPA)**

(Case T-217/15) ⁽¹⁾

**(EU trade mark — Invalidity proceedings — EU figurative mark PALLADIUM PALACE IBIZA RESORT
& SPA — Earlier national trade name GRAND HOTEL PALLADIUM — Relative ground for refusal —
Use in the course of trade of a sign of more than mere local significance — Article 8(4) and Article 53(1)
(c) of Regulation (EC) No 207/2009)**

(2017/C 022/30)

Language of the case: Spanish

Parties

Applicant: Fiesta Hotels & Resorts (Ibiza, Spain) (represented by: J.-B. Devaureix, lawyer)

Defendant: European Union Intellectual Property Office (represented by: J. Crespo Carrillo, acting as Agent)

Other party to the proceedings before the Board of Appeal of EUIPO, intervening before the General Court: Residencial Palladium, SL (Ibiza, Spain) (represented by: D. Solana Giménez, lawyer)

Re:

Action brought against the decision of the Second Board of Appeal of EUIPO of 23 February 2015 (Case R 2391/2013-2) relating to invalidity proceedings between Residencial Palladium and Fiesta Hotels & Resorts.

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders Fiesta Hotels & Resorts, SL to pay the costs.

⁽¹⁾ OJ C 205, 22.6.2015.

Judgment of the General Court of 29 November 2016 — ANKO v REA

(Case T-270/15) ⁽¹⁾

**(Arbitration clause — Subsidy agreement entered into in the context of the Seventh Framework
Programme for research, technological development and demonstration activities (2007-2013) — ESS
project — Conformity with the contractual provisions of the suspension of payments to the applicant and
of the conditions for lifting that suspension of payments — Default interest)**

(2017/C 022/31)

Language of the case: Greek

Parties

Applicant: ANKO AE Antiprosopion, Emporiou kai Viomichanias (Athens, Greece) (represented by: V. Christianos, lawyer)

Defendant: Research Executive Agency (represented by S. Payan-Lagrou and V. Canetti, acting as agents, assisted initially by O. Lytra and subsequently by A. Saratsi, lawyers)

Re:

Application based on Article 272 TFEU seeking a declaration that the suspension, imposed by REA, of the payment of the balance of the financial contribution owed to the applicant in respect of the implementation of Subsidy Agreement No 217951, for the financing of the 'Emergency Support System' project, entered into in the context of the Seventh Framework Programme of the European Community for research, technological development and demonstration activities (2007-2013), amounts to an infringement of its contractual obligations and that that sum must be paid to the applicant, together with default interest, to be calculated from the date of service of the action.