

Re:

Actions pursuant to Article 263 TFEU for annulment of ECB decisions, respectively,

ECB/SSM/2016-969500TJ5KRTCJQWXH05/98,

ECB/SSM/2016-969500TJ5KRTCJQWXH05/100,

ECB/SSM/2016-969500TJ5KRTCJQWXH05/101 and

ECB/SSM/2016-969500TJ5KRTCJQWXH05/99, of 29 January 2016, adopted pursuant to Article 4(1)(e) of Council Regulation (EU) No 1024/2013 of 15 October 2013 conferring specific tasks on the ECB concerning policies relating to the prudential supervision of credit institutions (OJ 2013 L 287, p. 63), Article 93 of Regulation (EU) No 468/2014 of the ECB of 16 April 2014 establishing the framework for cooperation within the Single Supervisory Mechanism between the ECB and national competent authorities and with national designated authorities (SSM Framework Regulation) (OJ 2014 L 141, p. 1) and Articles L. 511-13, L. 511-52, L. 511-58, L. 612-23-1 and R. 612-29-3 of the Code monétaire et financier français (French Monetary and Financial Code).

Operative part of the judgment

The Court:

1. Dismisses the actions;
2. Orders the Caisse régionale de crédit agricole mutuel Alpes Provence, the Caisse régionale de crédit agricole mutuel Nord Midi-Pyrénées, the Caisse régionale de crédit agricole mutuel Charente-Maritime Deux-Sèvres and the Caisse régionale de crédit agricole mutuel Brie Picardie to bear their own respective costs and to pay the costs incurred by the European Central Bank (ECB).
3. Orders the European Commission to bear its own costs.

⁽¹⁾ OJ C 175, 17.5.2016.

Judgment of the General Court of 26 April 2018 — Azarov v Council

(Case T-190/16) ⁽¹⁾

(Common Foreign and Security Policy — Restrictive measures taken in view of the situation in Ukraine — Freezing of funds — List of persons, entities and bodies subject to the freezing of funds and economic resources — Maintenance of the applicant's name on the list — Rights of the defence — Principle of good administration — Misuse of power — Right to property — Freedom to conduct a business — Manifest error of assessment)

(2018/C 200/38)

Language of the case: German

Parties

Applicant: Mykola Yanovych Azarov (Kiev, Ukraine) (represented by: G. Lansky and A. Egger, lawyers)

Defendant: Council of the European Union (represented by: J.-P. Hix and F. Naert, acting as Agents)

Re:

Application based on Article 263 TFEU and seeking to annul Council Decision (CFSP) 2016/318 of 4 March 2016 amending Decision 2014/119/CFSP concerning restrictive measures directed against certain persons, entities and bodies in view of the situation in Ukraine (OJ 2016 L 60, p. 76) and Council Implementing Regulation (EU) 2016/311 of 4 March 2016 implementing Regulation (EU) No 208/2014 concerning restrictive measures directed against certain persons, entities and bodies in view of the situation in Ukraine (OJ 2016 L 60, p. 1), in so far as the applicant's name is maintained on the list of persons, entities and bodies to which those restrictive measures apply.

Operative part of the judgment

The Court:

- 1) Dismisses the action;

2) Orders Mr Mykola Yanovych Azarov to pay the costs.

⁽¹⁾ OJ C 222, 20.6.2016.

Judgment of the General Court of 25 April 2018 — Walfood v EUIPO — Romanov Holding (CHATKA)

(Case T-248/16) ⁽¹⁾

(EU trade mark — Invalidity proceedings — EU figurative mark CHATKA — Earlier international figurative mark CHATKA — Relative ground for refusal — Article 8(1)(b) of Regulation (EC) No 207/2009 (now Article 8(1)(b) of Regulation (EU) 2017/1001) — Genuine use of the earlier mark — Article 57(2) and (3) of Regulation No 207/2009 (now Article 64(2) and (3) of Regulation 2017/1001))

(2018/C 200/39)

Language of the case: French

Parties

Applicant: Walfood SA (Luxembourg, Luxembourg) (represented by: E. Cornu, 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, intervener before the General Court: Romanov Holding, SL (La Moraleja, Spain) (represented by: S. García Cabezas and R. Fernández Iglesias, lawyers)

Re:

Action brought against the decision of the Fifth Board of Appeal of EUIPO of 21 March 2016 (Case R 150/2015-5), relating to invalidity proceedings between Romanov Holding and Walfood.

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders Walfood SA to pay the costs.

⁽¹⁾ OJ C 270, 25.7.2016.

Judgment of the General Court of 26 April 2018 — Convivo v EUIPO — Porcesadora Nacional de Alimentos (M'Cooky)

(Case T-288/16) ⁽¹⁾

(EU trade mark — Opposition proceedings — International registration designating the European Union — Word mark M'Cooky — Earlier national figurative mark MR.COOK — Relative ground for refusal — Article 8(1)(b) of Regulation No 207/2009 (now Article 8(1)(b) of Regulation 2017/1001) — Likelihood of confusion)

(2018/C 200/40)

Language of the case: English

Parties

Applicant: Convivo GmbH (Vienna, Austria) (represented by: C. Düchs, lawyer)