

Defendant: European Union Intellectual Property Office (represented by: S. Hanne and D. Walicka, acting as Agents)

Other party to the proceedings before the Board of Appeal of EUIPO: Sissel GmbH (Bad Dürkheim, Germany)

Re:

Action brought against the decision of the Third Board of Appeal of EUIPO of 26 February 2016 (Case R 2619/2014-3) concerning invalidity proceedings between Sissel and Mr Haverkamp

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders Haverkamp IP GmbH to pay the costs.

⁽¹⁾ OJ C 243, 4.7.2016.

Judgment of the General Court of 20 June 2018 — České dráhy v Commission

(Case T-325/16) ⁽¹⁾

(Competition — Administrative procedure — Decision ordering an inspection — Proportionality — Non-arbitrariness — Obligation to state reasons — Reasonable grounds — Legal certainty — Legitimate expectations — Right to respect for private life — Rights of the defence)

(2018/C 276/67)

Language of the case: Czech

Parties

Applicant: České dráhy a.s. (Prague, Czech Republic) (represented by: K. Muzikář, J. Kindl and V. Kuča, lawyers)

Defendant: European Commission (represented by: P. Rossi, A. Biolan, G. Meessen, P. Němečková and M. Šimerdová, acting as Agents)

Re:

Action based on Article 263 TFEU and seeking annulment of Commission Decision C(2016) 2417 final of 18 April 2016 relating to a proceeding under Article 20(4) of Regulation No 1/2003, addressed to České dráhy and all companies directly or indirectly controlled by it, ordering them to submit to an inspection (Case AT.40156 — Falcon).

Operative part of the judgment

The Court:

1. Annuls Commission Decision C(2016) 2417 final of 18 April 2016 relating to a proceeding under Article 20(4) of Regulation (EC) No 1/2003, addressed to České dráhy and all companies directly or indirectly controlled by it, ordering them to submit to an inspection (Case AT.40156 — Falcon), in so far as it concerns routes other than the Prague-Ostrava route and conduct other than the alleged predatory pricing practices;

2. Dismisses the action as to the remainder;
3. Orders each party to bear its own costs.

⁽¹⁾ OJ C 314, 29.8.2016.

Judgment of the General Court of 26 June 2018 — Sicignano v EUIPO — IN.PRO.DI (GiCapri ‘a giacchett’e capri’)

(Case T-619/16) ⁽¹⁾

(EU trade mark — Opposition proceedings — Application for EU figurative mark GiCapri ‘a giacchett’e capri’ — Earlier EU figurative mark CAPRI — Relative ground for refusal — Likelihood of confusion — Article 8(1)(b) of Regulation (EC) No 207/2009 (now Article 8(1)(b) of Regulation (EU) 2017/1001))

(2018/C 276/68)

Language of the case: Italian

Parties

Applicant: Pasquale Sicignano (Santa Maria la Carità, Italy) (represented by: A. Masetti Zannini de Concina, M. Bucarelli and G. Petrocchi, lawyers)

Defendant: European Union Intellectual Property Office (EUIPO) (represented by: L. Rampini and J. Crespo Carillo, acting as Agents)

Other party to the proceedings before the Board of Appeal of EUIPO: Inghirami Produzione Distribuzione SpA (IN.PRO.DI) (Milan, Italy)

Re:

Action brought against the decision of the Fifth Board of Appeal of EUIPO of 2 June 2016 (Case R 806/2015-5), relating to opposition proceedings between IN.PRO.DI and Mr Sicignano.

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders Mr Pasquale Sicignano to pay the costs.

⁽¹⁾ OJ C 392, 24.10.2016.

Judgment of the General Court of 20 June 2018 — České dráhy v Commission

(Case T-621/16) ⁽¹⁾

(Competition — Administrative procedure — Decision ordering an inspection — Inspection ordered on the basis of information obtained from a separate inspection — Proportionality — Obligation to state reasons — Right to respect for private life — Rights of defence)

(2018/C 276/69)

Language of the case: Czech

Parties

Applicant: České dráhy a.s. (Prague, Czech Republic) (represented by: K. Muzikář, J. Kindl and V. Kuča, lawyers)