

*Defendant:* European Union Intellectual Property Office (represented initially by: S. Hanne, subsequently by: A. Söder and D. Hanf, acting as Agents)

*Other party to the proceedings before the Board of Appeal of EUIPO, intervening before the General Court:* Deichmann SE (Essen, Germany) (represented by: C. Onken, lawyer)

**Re:**

Action brought against the decision of the Fourth Board of Appeal of EUIPO of 19 September 2016 (Case R 2030/2015-4) relating to opposition proceedings between Deichmann and Vans.

**Operative part of the judgment**

*The Court:*

1. Dismisses the action;
2. Orders Vans, Inc. to pay the costs.

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<sup>(1)</sup> OJ C 22, 23.1.2017.

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**Judgment of the General Court of 6 December 2018 — Deichmann v EUIPO — Vans (V)**

(Case T-848/16) <sup>(1)</sup>

**(EU trade mark — Opposition proceedings — Application for EU figurative mark V — Earlier international figurative marks V — Proof of the existence, validity and scope of the protection of an earlier trade mark — Rule 19(2)(a)(ii) of Regulation (EC) No 2868/95 (now Article 7(2)(a)(ii) of Delegated Regulation (EU) 2018/625))**

(2019/C 72/26)

*Language of the case: German*

**Parties**

*Applicant:* Deichmann SE (Essen, Germany) (represented by: C. Onken, lawyer)

*Defendant:* European Union Intellectual Property Office (represented by: A. Söder and D. Hanf, acting as Agents)

*Other party to the proceedings before the Board of Appeal of EUIPO, intervening before the General Court:* Vans, Inc. (Cypress, California, United States) (represented by: M. Hirsch, lawyer)

**Re:**

Action brought against the decision of the Fourth Board of Appeal of EUIPO of 20 September 2016 (Case R 2129/2015-4) relating to opposition proceedings between Deichmann and Vans.

**Operative part of the judgment**

*The Court:*

1. Annuls the decision of the Fourth Board of Appeal of the European Union Intellectual Property Office (EUIPO) of 20 September 2016 (Case R 2129/2015-4);

2. Orders EUIPO to bear its own costs as well as those incurred by Deichmann SE;
3. Orders Vans, Inc. to bear its own costs.

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<sup>(1)</sup> OJ C 38, 6.2.2017.

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**Judgment of the General Court of 12 December 2018 — Groupe Canal + v Commission**

**(Case T-873/16) <sup>(1)</sup>**

**(Competition — Cartels — TV distribution — Decision making commitments binding — Territorial exclusivity — Preliminary evaluation — Assignment of third-party contractual rights — Proportionality)**

(2019/C 72/27)

Language of the case: French

**Parties**

**Applicant:** Groupe Canal + (Issy-les-Moulineaux, France) (represented by: P. Wilhelm, P. Gassenbach and O. de Juvigny, lawyers)

**Defendant:** European Commission (represented by: A. Dawes, C. Urraca Caviedes and L. Wildpanner, acting as Agents)

**Interveners in support of the applicant:** French Republic (represented by D. Colas, J. Bousin, E. de Moustier and P. Dodeller, acting as Agents); Union des producteurs de cinéma (UPC) (Paris, France) (represented by: É. Lauvaux, lawyer); C More Entertainment AB (Stockholm, Sweden) (represented by: L. Johansson and A. Acedevo, lawyers); and European Film Agency Directors — EFADs (Brussels, Belgium) (represented by: O. Sasserath, lawyer)

**Intervener in support of the defendant:** Bureau européen des unions de consommateurs (BEUC) (Brussels, Belgium) (represented by: A. Fratini, lawyer)

**Re:**

Action under Article 263 TFEU seeking annulment of the decision of the European Commission of 26 July 2016 relating to a proceeding under Article 101 TFEU and Article 53 of the EEA Agreement (case AT. 40023 — Cross-border access to pay TV), which makes the commitments offered by Paramount Pictures International Ltd and Viacom Inc. legally binding, in the context of licence agreements on audiovisual content that they concluded with Sky UK Ltd and Sky plc.

**Operative part of the judgment**

*The Court:*

1. Dismisses the action;
2. Orders Groupe Canal + to bear its own costs and to pay those of the European Commission, excluding those incurred in relation to the intervention of the French Republic, the European Film Agency Directors — EFADs, the Union des producteurs de cinéma (UPC) and C More Entertainment AB, and by the Bureau européen des unions de consommateurs (BEUC);
3. Orders the French Republic, EFADs, UPC and C More Entertainment AB to bear their own costs and pay those incurred by the Commission in relation to their interventions.

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<sup>(1)</sup> OJ C 38, 6.2.2017.