

Other party to the proceedings before the Board of Appeal of EUIPO intervening before the General Court: Cognitect, Inc. (Durham, North Carolina, United States)

Re:

Action brought against the decision of the Second Board of Appeal of EUIPO of 19 April 2016 (Joined Cases R 1383/2015-2 and R 1481/2015-2), concerning cancellation proceedings between Cognitect, Inc. and Klaus Düll.

Operative part of the order

- 1) *There is no longer any need to adjudicate on the action.*
- 2) *Klaus Düll and Cognitect, Inc. shall bear their own costs and shall each pay half of the costs incurred by the European Union Intellectual Property Office (EUIPO).*

⁽¹⁾ OJ C 364, 3.10.2016.

Order of the Vice-President of the General Court of 10 April 2017 — Exaa Abwicklungsstelle für Energieprodukte v ACER

(Case T-123/17 R)

(Application for interim measures — Energy — Decision of ACER rejecting an application for leave to intervene in Case A-001-2017 (consolidated) — Application for suspension of operation of a measure — No urgency)

(2017/C 195/41)

Language of the case: German

Parties

Applicant: Exaa Abwicklungsstelle für Energieprodukte AG (Vienna, Austria) (represented by: B. Rajal, lawyer)

Defendant: Agency for the Cooperation of Energy Regulators (ACER) (represented by: P. Martinet and E. Tremmel, acting as Agents)

Re:

Application based on Articles 278 TFEU and 279 TFEU, seeking suspension of the operation of the decision of ACER of 17 February 2017 rejecting the application for leave to intervene lodged by the applicant in Case A-001-2017 (consolidated).

Operative part of the order

1. *The application for interim measures is dismissed.*
 2. *The costs are reserved.*
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