

Operative part

The Court:

1. Dismisses the action;
2. Orders the applicant to bear its own costs and those incurred by the Commission.

**Judgment of the Court of First Instance (Fourth Chamber) of 23 May 2007 —
Henkel v OHIM — SERCA (COR)**

(Case T-342/05)

Community trade mark — Opposition proceedings — Application for Community word mark COR — Earlier national figurative mark including the word element ‘dor’ in gothic script — Relative ground for refusal — No likelihood of confusion — Article 8(1)(b) of Regulation (EC) No 40/94

Community trade mark — Definition and acquisition of the Community trade mark — Relative grounds for refusal — Opposition by the proprietor of an earlier identical or similar mark registered for identical or similar goods or services (Council Regulation No 40/94, Art. 8(1)(b)) (see paras 52-54)

Re:

ACTION for annulment brought against the decision of the First Board of Appeal of OHIM of 14 July 2005 (Case R 556/2003-1) relating to opposition proceedings between Henkel KGaA and Serra Y Roca, SA (SERCA).

Information relating to the case

Applicant for the Community trade mark:	Serra Y Roca, SA (SERCA)
Community trade mark sought:	Word mark COR for goods in Class 3 — Application No 1284470
Proprietor of the mark or sign cited in the opposition proceedings:	Henkel KGaA
Mark or sign cited in opposition:	National figurative mark 'dor' for goods in Classes 3, 5 and 21
Decision of the Opposition Division:	Opposition dismissed in respect of goods in Class 3
Decision of the Board of Appeal:	Appeal dismissed

Operative part

The Court:

1. Dismisses the action;
2. Orders the applicant to pay the costs.

Judgment of the Court of First Instance (First Chamber) of 6 June 2007 — Greece v Commission (Case T-232/04)

EAGGF — 'Guarantee' section — Community vineyard register — Decision ordering the reimbursement of sums paid as an advance

1. *Agriculture — Common agricultural policy — EAGGF financing (Art. 10 EC; Council Regulations No 729/70, Arts 8(1) and 9, and No 2392/86, Arts (1) and 9(4)) (see paras 41-49)*