

JUDGMENT OF THE COURT OF FIRST INSTANCE

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of 11 May 2005

of 26 April 2005

in Case T-31/03 Grupo Sada PA SA v Office for Harmonisation in the Internal Market (trade marks and designs) (OHIM) ⁽¹⁾

(Community trade mark — Opposition proceedings — Application for a figurative Community trade mark containing the verbal element ‘GRUPO SADA’ — Earlier figurative national trade mark including the verbal element ‘sadia’ — Refusal in part to register — Article 8(1)(b) of Regulation (EC) No 40/94)

(2005/C 171/25)

(Language of the case: Spanish)

In Case T-31/03: Grupo Sada PA SA, established in Madrid, Spain, represented by A. Aguilar De Armas and J. Marrero Ortega, lawyers, against the Office for Harmonisation in the Internal Market (trade marks and designs) (OHIM) (Agents: J. García Murillo and G. Schneider), the other party to the proceedings before the Board of Appeal of the OHIM, intervening before the Court of First Instance, being Sadia SA, established at Concordia (Brazil), represented by J. García del Santo and P. García Cabrerizo, lawyers — application for annulment of the decision of the First Board of Appeal of the OHIM of 20 November 2002 (case R 567/2001-1) — the Court of First Instance (Fourth Chamber), composed of H. Legal, President, P. Mengozzi and I. Wiszniewska-Bialecka, Judges; B. Pastor, Registrar, has given a judgment on 11 May 2005, in which it:

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

⁽¹⁾ OJ C 70 of 22 March 2003

in Joined Cases T-110/03, T-150/03 and T-405/03 Jose Maria Sison v Council of the European Union ⁽¹⁾

(Access to documents — Regulation (EC) No 1049/2001 — Documents relating to Council decisions concerning the fight against terrorism — Exceptions relating to the protection of the public interest — Public security — International relations — Partial access — Statement of reasons — Rights of the defence)

(2005/C 171/26)

(Language of the case: English)

In Joined Cases T-110/03, T-150/03 and T-405/03: Jose Maria Sison, residing in Utrecht (Netherlands), represented by J. Fermon, A. Comte, H. Schultz and D. Gurses, lawyers, against Council of the European Union, represented by M. Vitsentzatos, M. Bauer and M. Bishop — applications for annulment of the three Council decisions of 21 January, 27 February and 2 October 2003 refusing access to documents relating to Council Decisions 2002/848/EC, 2002/974/EC and 2003/480/EC of 28 October 2002, 12 December 2002 and 27 June 2003 respectively implementing Article 2(3) of Regulation (EC) No 2580/2001 on specific restrictive measures directed against certain persons and entities with a view to combating terrorism and repealing Decisions 2002/460/EC, 2002/848/EC and 2002/974/EC respectively — the Court of First Instance (Second Chamber), composed of J. Pirrung, President, N.J. Forwood and S. Pappasavvas, Judges; J. Plingers, Administrator, for the Registrar, gave a judgment on 26 April 2005, in which it:

1. Dismisses the applications in Cases T-110/03 and T-150/03 as unfounded;
2. Dismisses part of the application in Case T-405/03 as inadmissible and the remainder as unfounded;
3. Orders the applicant to pay the costs in Cases T-110/03, T-150/03 and T-405/03.

⁽¹⁾ OJ C 146 of 21.6.2003.