

**Judgment of the General Court of 11 December 2013 —
Przedsiębiorstwo Handlowe Medox Lepiarz Lepiarz v
OHIM — Henkel (SUPER GLUE)**

(Case T-591/11) ⁽¹⁾

(Community trade mark — Opposition proceedings — Application for Community figurative mark SUPER GLUE — Earlier Benelux word mark SUPERGLUE — Relative ground for refusal — Likelihood of confusion — Distinctive character of the earlier mark — Article 8(1)(b) of Regulation (EC) No 207/2009)

(2014/C 31/14)

Language of the case: Polish

Parties

Applicant: Przedsiębiorstwo Handlowe Medox Lepiarz Jarosław Lepiarz Alicja sp. j. (Jaworzno, Poland) (represented by: M. Koniecznyński and I. Kubiec, lawyers)

Defendant: Office for Harmonisation in the Internal Market (Trade Marks and Designs) (represented by: D. Walicka, acting as Agent)

Other party to the proceedings before the Board of Appeal of OHIM: Henkel Corp. (Gulph Mills, Pennsylvania, United States)

Re:

Action brought against the decision of the Fourth Board of Appeal of OHIM of 12 September 2011 (Case R 1147/2010-4) relating to opposition proceedings between Henkel Corp. and Przedsiębiorstwo Handlowe Medox Lepiarz Jarosław Lepiarz Alicja sp.j.

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders Przedsiębiorstwo Handlowe Medox Lepiarz Jarosław Lepiarz Alicja sp.j. to pay the costs.

⁽¹⁾ OJ C 32, 4.2.2012.

**Judgment of the General Court of 11 December 2013 —
Cisco Systems and Messagenet v Commission**

(Case T-79/12) ⁽¹⁾

(Competition — Concentrations — European markets for internet communications services — Decision declaring the concentration compatible with the internal market — Manifest errors of assessment — Obligation to state reasons)

(2014/C 31/15)

Language of the case: English

Parties

Applicants: Cisco Systems, Inc. (San Jose, California, United States) and Messagenet SpA (Milan, Italy) (represented by: L. Ortiz Blanco, J. Buendía Sierra, A. de Pablo and K. Jörgens, lawyers)

Defendant: European Commission (represented by: N. Khan, S. Noë and C. Hödlmayr, Agents)

Intervener in support of the defendant: Microsoft Corp. (Seattle, Washington, United States) (represented by: G. Berrisch, lawyer)

Re:

Application for annulment of Commission Decision C(2011) 7279 final of 7 October 2011 declaring compatible with the internal market the merger transaction involving the acquisition of control of Skype Global Sàrl by Microsoft Corp. (Case COMP/M.6281 — Microsoft/Skype).

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders Cisco Systems Inc. and Messagenet SpA to bear their own costs and to pay those incurred by the European Commission and Microsoft Corp.

⁽¹⁾ OJ C 109, 14.4.2012.