

GENERAL COURT

Judgment of the General Court of 21 May 2015 — Yoshida Metal Industry v OHIM — Pi-Design and Others (Community figurative trade marks representing a surface with black dots)

(Joined Cases T-331/10 RENV and T-416/10 RENV) ⁽¹⁾

(Community trade mark — Invalidity proceedings — Community figurative trade marks representing a surface with black dots — Absolute ground for refusal — Sign consisting exclusively of the shape of the goods which is necessary to obtain a technical result — Article 7(1)(e)(ii) of Regulation (EC) No 207/2009)

(2015/C 221/07)

Language of the case: English

Parties

Applicant: Yoshida Metal Industry Co. Ltd (Tsubame-shi, Japan) (represented by: S. Vereza, K. Muraro and M. Balestrieri, lawyers)

Defendant: Office for Harmonisation in the Internal Market (Trade Marks and Designs) (represented by: A. Folliard-Monguiral, Agent)

Other parties to the proceedings before the Board of Appeal of OHIM, intervening before the General Court: Pi-Design AG (Triengen, Switzerland), Bodum France (Neuilly-sur-Seine, France), Bodum Logistics A/S (Billund, Denmark) (represented by: H. Pernez and R. Löhr, lawyers)

Re:

Action brought against the decision of the First Board of Appeal of OHIM of 20 May 2010 (Cases R 1235/2008-1 and R 1237/2008-1), concerning invalidity proceedings between Pi-design AG, Bodum France and Bodum Logistics A/S, on the one hand, and Yoshida Metal Industry Co. Ltd, on the other.

Operative part of the judgment

The Court:

1. *Dismisses the actions;*
2. *Orders Yoshida Metal Industry Co. Ltd to bear its own costs and to pay those incurred by the Office for Harmonisation in the Internal Market (Trade Marks and Designs) (OHIM) and by Pi-Design AG, Bodum France and Bodum Logistics A/S before the General Court and before the Court of Justice.*

⁽¹⁾ OJ C 274, 9.10.2010.

Judgment of the General Court of 20 May 2015 — Timab Industries and CFPR v Commission

(Case T-456/10) ⁽¹⁾

(Competition — Agreements, decisions and concerted practices — European market for animal feed phosphates — Decision finding an infringement of Article 101 TFEU — Allocation of sales quotas, coordination of prices and conditions of sale and exchange of commercially sensitive information — Applicant's withdrawal from the settlement procedure — Fines — Obligation to state reasons — Gravity and duration of the infringement — Cooperation — Failure to apply the likely range of fines indicated during the settlement procedure)

(2015/C 221/08)

Language of the case: French

Parties

Applicants: Timab Industries (Dinard, France); and Cie financière et de participations Roullier (CFPR) (Saint-Malo, France) (represented by: N. Lenoir and M. Truffier, lawyers)