

Judgment of the General Court of 14 January 2016 — Doux v Commission(Case T-434/13) ⁽¹⁾

(Agriculture — Export refund — Poultry meat — Implementing Regulation fixing the refund at EUR 0 — Action for annulment — Regulatory act not entailing implementing measures — Direct concern — Admissibility — Article 3(3) of Regulation (EU) No 182/2011 — Obligation to state reasons — Article 164(3) of Regulation (EC) No 1234/2007 — Legitimate expectations)

(2016/C 078/24)

Language of the case: French

Parties

Applicant: Doux SA (Châteaulin, France) (represented by: J. Vogel, lawyer)

Defendant: European Commission (represented by: D. Bianchi and K. Skelly, acting as Agents)

Intervener in support of the applicant: Tilly-Sabco (Guerlesquin, France) (represented by: R. Milchior, F. Le Roquais and S. Charbonnel, lawyers)

Re:

Application for annulment of Commission Implementing Regulation (EU) No 689/2013 of 18 July 2013 fixing the export refunds on poultry meat (OJ 2013 L 196, p. 13).

Operative part of the judgment

The Court:

- 1) Dismisses the action;
- 2) Orders Doux SA to bear its own costs and those incurred by the European Commission;
- 3) Orders Tilly-Sabco to bear its own costs.

⁽¹⁾ OJ C 291, 5.10.2013.

Judgment of the General Court of 14 January 2016 — France v Commission(Case T-549/13) ⁽¹⁾

(Agriculture — Export refund — Poultry meat — Fixing the refund at EUR 0 — Obligation to state reasons — Possibility for the Commission to confine itself to a standard set of reasoning — Commission's standard practice in fixing refunds — Article 164(3) of Regulation (EC) No 1234/2007 — Non-exhaustive nature of the criteria laid down)

(2016/C 078/25)

Language of the case: French

Parties

Applicant: French Republic (represented by: G. de Bergues, D. Colas and C. Candat, acting as Agents)

Defendant: European Commission (represented by: D. Bianchi and K. Skelly, acting as Agents)

Re:

Application for annulment of Commission Implementing Regulation (EU) No 689/2013 of 18 July 2013 fixing the export refunds on poultry meat (OJ 2013 L 196, p. 13).

Operative part of the judgment

The Court:

- 1) *Dismisses the action;*
- 2) *Orders each party to bear its own costs.*

⁽¹⁾ OJ C 367, 14.12.2013.

Judgment of the General Court of 14 January 2016 — The Cookware Company v OHIM — Fissler (VITA+VERDE)

(Case T-535/14) ⁽¹⁾

(Community trade mark — Opposition proceedings — Application for the Community figurative mark VITA+VERDE — Earlier word mark VITAVIT — Relative ground for refusal — Likelihood of confusion — Article 8(1)(b) of Regulation (EC) No 207/2009)

(2016/C 078/26)

Language of the case: English

Parties

Applicant: The Cookware Company Ltd (Hong Kong, China) (represented by: K. Manhaeve, lawyer)

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

Other party to the proceedings before the Board of Appeal of OHIM, intervener before the General Court: Fissler GmbH (Idar-Oberstein, Germany) (represented by: A. Späth and V. Töbelmann, lawyers)

Re:

Action brought against the decision of the Second Board of Appeal of OHIM of 15 April 2014 (Case R 1082/2013-2), relating to opposition proceedings between Fissler GmbH and The Cookware Company Ltd.

Operative part of the judgment

The Court:

1. *Dismisses the action;*
2. *Orders The Cookware Company Ltd to pay the costs.*

⁽¹⁾ OJ C 351, 6.10.2014.