

Judgment of the General Court of 12 May 2015 — Unión de Almacenistas de Hierros de España v Commission

(Case T-623/13) ⁽¹⁾

(Access to documents — Regulation (EC) No 1049/2001 — Documents concerning two national competition procedures — Documents submitted to the Commission by a national authority within the framework of cooperation provided for by EU law — Refusal of access — Exception related to the protection of the purpose of inspections, investigations and audits — Exception related to the protection of the commercial interests of a third party — No obligation for the Institution concerned to carry out a specific and individual examination of the content of the documents concerned in the request for access when the investigation at issue is definitively closed — No need for an organisational measure in the procedure requesting the documents at issue — Failure to take account of the special situation of the applicant)

(2015/C 213/55)

Language of the case: Spanish

Parties

Applicant: Unión de Almacenistas de Hierros de España (Madrid, Spain) (represented by: A. Creus Carreras and A. Valiente Martín, lawyers)

Defendant: European Commission (represented by: J. Baquero Cruz and F. Clotuche-Duvieusart, acting as Agents)

Intervener in support of the Defendant: The Federal Republic of Germany (represented by: T. Henze, K. Petersen and A. Lippstreu, acting as Agents)

Re:

Action for annulment of Commission decision of 18 September 2013 refusing to grant the applicant access to certain documents concerning the exchange of correspondence between the Commission and the Comisión Nacional de la Competencia (CNC, Spanish national competition commission), as regards two procedures opened by the latter.

Operative part of the judgment

The Court:

- 1) Dismisses the action;
- 2) Orders the Unión de Almacenistas de Hierros de España is to bear its own costs and to pay those incurred by the European Commission;
- 3) Orders the Federal Republic of Germany to bear its own costs.

⁽¹⁾ OJ C 24, 25.1.2014.

Judgment of the General Court of 12 May 2015 — Czech Republic v Commission

(Case T-51/14) ⁽¹⁾

(System of traditional specialities guaranteed — Regulation (EU) No 1151/2012 — Rejection of the request for registration of the name ‘pomazánkové máslo’ (spreadable butter) as a traditional speciality guaranteed — Relationship with the provisions of Regulation (EC) No 1234/2007 specifying the conditions for the use of the sales description ‘butter’)

(2015/C 213/56)

Language of the case: Czech

Parties

Applicant: Czech Republic (represented by: M. Smolek, J. Vlácil and J. Vitáková, acting as Agents)

Defendant: European Commission (represented by: J. Guillem Carrau, Z. Malůšková and K. Walkerová, acting as Agents)

Re:

Application for the annulment of Commission Implementing Decision 2013/658/EU of 13 November 2013 rejecting an application for entry in the register of traditional specialities guaranteed provided for in Regulation (EU) No 1151/2012 of the European Parliament and of the Council (Pomazánkové máslo (TSG)) (OJ 2013 L 305, p. 22).

Operative part of the judgment

The Court:

1. *Dismisses the action;*
2. *Orders the Czech Republic to pay the costs.*

⁽¹⁾ OJ C 93, 29.3.2014.

Judgment of the General Court of 19 May 2015 — Swatch v OHIM — Panavision Europe (SWATCHBALL)

(Case T-71/14) ⁽¹⁾

(Community trade mark — Opposition proceedings — Application for Community word mark SWATCHBALL — Community word and figurative marks and international word and figurative marks SWATCH and swatch — Relative ground for refusal — Damage to reputation — Article 8(5) of Regulation (EC) No 207/2009)

(2015/C 213/57)

Language of the case: English

Parties

Applicant: Swatch AG (Biel, Switzerland) (represented by: P. González-Bueno Catalán de Ocón, lawyer)

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

Other party to the proceedings before the Board of Appeal of OHIM: Panavision Europe Ltd (Greenford, United Kingdom)

Re:

Action brought against the decision of the Second Board of Appeal of OHIM of 11 November 2013 (Case R 470/2012-2), relating to opposition proceedings between Swatch AG and Panavision Europe Ltd.

Operative part of the judgment

The Court:

1. *Dismisses the action;*
2. *Orders Swatch AG to pay the costs.*

⁽¹⁾ OJ C 129, 28.4.2014.