

Re:

Appeal against the judgment of the European Union Civil Service Tribunal (Second Chamber) of 18 May 2015, *Gyarmathy v EMCDDA* (F-79/13, EU:F:2015:49), seeking the setting aside of that judgment.

Operative part of the order

1. *The appeal is dismissed.*
2. *Ms Valéria Anna Gyarmathy is to bear her own costs and to pay the costs incurred by the European Monitoring Centre for Drugs and Drug Addiction (EMCDDA) in the appeal proceedings.*

⁽¹⁾ OJ C 364, 3.10.2016.

Order of the General Court of 20 September 2017 — Berliner Stadtwerke v EUIPO (berlinGas)

(Case T-402/16) ⁽¹⁾

(EU trade mark — Application for EU word mark berlinGas — Absolute ground for refusal — Descriptive character — Lack of distinctive character — Article 7(1)(c) of Regulation (EC) No 207/2009 — Action manifestly unfounded in law)

(2017/C 392/38)

Language of the case: German

Parties

Applicant: Berliner Stadtwerke GmbH (Berlin, Germany) (represented by: O. Spieker, A. Schönfleisch and M. Alber, lawyers)

Defendant: European Union Intellectual Property Office (represented by: R. Manea and D. Hanf, agents)

Re:

Action brought against the decision of the First Board of Appeal of EUIPO of 12 May 2016 (Case R 291/2016-1), relating to the application for registration of the word sign berlinGas as an EU trade mark.

Operative part of the order

1. *The action is dismissed.*
2. *Berliner Stadtwerke GmbH is ordered to pay the costs.*

⁽¹⁾ OJ C 335, 12.9.2016.