

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders General Química, SA, Repsol Química, SA and Repsol YPF, SA to bear their own costs and pay the Commission's costs.

(¹) OJ C 131, 3.6.2006.

Judgment of the Court of First Instance of 18 December 2008 — Torres v OHIM — Bodegas Cándido (TORRE DE FRIAS)

(Case T-285/06) (¹)

(Community trade mark — Opposition procedure — Application for Community word mark TORRE DE FRIAS — Earlier national and international word marks TORRES and LAS TORRES — Relative ground for refusal — No likelihood of confusion)

(2009/C 44/73)

Language of the case: Spanish

Parties

Applicant: Miguel Torres, SA (Vilafranca del Penedés, Spain) (represented by: E. Armijo Chávarri, M. Baz de San Ceferino and A. Castán Pérez-Gómez, lawyers)

Defendant: Office for Harmonisation in the Internal Market (Trade Marks and Designs) (represented by: O. Mondéjar Ortuño and J. García Murillo, Agents)

Other party to the proceedings before the Board of Appeal of OHIM intervening before the Court of First Instance: Bodegas Cándido, SA (Burgos, Spain) (represented by: C. Hernández Hernández, lawyer)

Re:

Action brought against the decision of the Second Board of Appeal of the Office for Harmonisation in the Internal Market (Trade Marks and Designs) of 27 July 2006 (Case R-1069/2004-2) relating to opposition proceedings between Miguel Torres, SA and Bodegas Cándido, SA.

Operative part of the judgment

The Court:

1. Dismisses the action;

2. Orders Miguel Torres, SA to pay the costs.

(¹) OJ C 310, 16.12.2006.

Judgment of the Court of First Instance of 18 December 2008 — Torres v OHIM — Vinícola de Tomelloso (TORRE DE GAZATE)

(Case T-286/06) (¹)

(Community trade mark — Opposition procedure — Application for Community word mark TORRE DE GAZATE — Earlier national and international word marks TORRES and LAS TORRES — Relative ground for refusal — No likelihood of confusion)

(2009/C 44/74)

Language of the case: Spanish

Parties

Applicant: Miguel Torres, SA (Vilafranca del Penedés, Spain) (represented by: E. Armijo Chávarri, M. Baz de San Ceferino and A. Castán Pérez-Gómez, lawyers)

Defendant: Office for Harmonisation in the Internal Market (Trade Marks and Designs) (represented by: O. Mondéjar Ortuño and J. García Murillo, Agents)

Other party to the proceedings before the Board of Appeal of OHIM intervening before the Court of First Instance: Vinícola de Tomelloso, SCL (Tomelloso, Spain) (represented by: J. Casajuana Espinosa, lawyer)

Re:

Action brought against the decision of the Second Board of Appeal of the Office for Harmonisation in the Internal Market (Trade Marks and Designs) of 27 July 2006 (Case R-421/2004-2) relating to opposition proceedings between Miguel Torres, SA and Vinícola de Tomelloso, SCL.

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders Miguel Torres, SA to pay the costs.

(¹) OJ C 310, 16.12.2006.