

6. Failure to rule on a number of fundamental aspects of the case.
7. Unlawfulness of a ruling that a complaint made by the appellant concerning the contested decision was inadmissible.

Action brought on 21 January 2013 — Mäurer & Wirtz v OHIM — Sacra (4711 Aqua Mirabilis)

(Case T-25/13)

(2013/C 71/41)

Language in which the application was lodged: German

Parties

Applicant: Mäurer & Wirtz GmbH & Co. KG (Stolberg, Germany) (represented by: T. Schulte-Beckhausen, lawyer)

Defendant: Office for Harmonisation in the Internal Market (Trade Marks and Designs)

Other party to the proceedings before the Board of Appeal: Sacra Srl (Venice, Italy)

Form of order sought

The applicant claims that the Court should:

- annul the decision of the Second Board of Appeal of the Office for Harmonisation in the Internal Market (Trade Marks and Designs) of 13 November 2012 in Case R 1601/2011-2;
- order the defendant to pay the costs of the initial action and of the appeal.

Pleas in law and main arguments

Applicant for a Community trade mark: the applicant

Community trade mark concerned: word mark '4711 Aqua Mirabilis' for goods in Class 3 — Community trade mark application No 8 988 181

Proprietor of the mark or sign cited in the opposition proceedings: Sacra Srl

Mark or sign cited in opposition: word mark 'Aqua Admirabilis' for goods in Class 3

Decision of the Opposition Division: opposition upheld in part

Decision of the Board of Appeal: appeal dismissed

Pleas in law: infringement of Article 8(1)(b) and Article 7(1) and (2) of Regulation No 207/2009

Order of the General Court of 16 January 2013 — Centre national de la recherche scientifique v Commission

(Joined Cases T-445/09 and T-448/09) ⁽¹⁾

(2013/C 71/42)

Language of the case: French

The President of the Second Chamber has ordered that the joined cases be removed from the register.

⁽¹⁾ OJ C 24, 30.1.2010.

Order of the General Court of 16 January 2013 — Centre national de la recherche scientifique v Commission

(Joined Cases T-447/09 and T-449/09) ⁽¹⁾

(2013/C 71/43)

Language of the case: French

The President of the Second Chamber has ordered that the joined cases be removed from the register.

⁽¹⁾ OJ C 24, 30.1.2010.

Order of the General Court of 16 January 2013 — Centre national de la recherche scientifique v Commission

(Case T-125/11) ⁽¹⁾

(2013/C 71/44)

Language of the case: French

The President of the Third Chamber has ordered that the case be removed from the register.

⁽¹⁾ OJ C 145, 14.5.2011.

Order of the General Court of 16 January 2013 — Centre national de la recherche scientifique v Commission

(Case T-167/11) ⁽¹⁾

(2013/C 71/45)

Language of the case: French

The President of the Second Chamber has ordered that the case be removed from the register.

⁽¹⁾ OJ C 145, 14.5.2011.