

**Operative part of the judgment**

The Court:

1. *Annuls the decision of the Fourth Board of Appeal of the Office for Harmonisation in the Internal Market (Trade Marks and Designs) (OHIM) of 3 September 2012 (Case R 2103/2010-4) relating to opposition proceedings between Nestlé Schöller GmbH & Co. KG and Lotte Co. Ltd;*
2. *Orders OHIM to bear its own costs and to pay those incurred by Nestlé Unternehmungen Deutschland GmbH;*
3. *Orders Lotte Co. Ltd to bear its own costs.*

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<sup>(1)</sup> OJ C 26, 26.1.2013.

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**Judgment of the General Court of 18 September 2015 — Iran Liquefied Natural Gas v Council**

(Case T-5/13) <sup>(1)</sup>

*(Common foreign and security policy — Restrictive measures against Iran with the aim of preventing nuclear proliferation — Freezing of funds — Action for annulment — Infra-State body — Locus standi — Interest in bringing proceedings — Admissibility — Error of assessment — Adjustment of the temporal effects of an annulment)*

(2015/C 363/36)

Language of the case: English

**Parties**

**Applicant:** Iran Liquefied Natural Gas Co. (Tehran, Iran) (represented by: J. Grayston, Solicitor, G. Pandey, P. Gjørtler, D. Rovetta, M. Gambardella and N. Pilkington, lawyers)

**Defendant:** Council of the European Union (represented by: M. Bishop and Á. de Elera-San Miguel Hurtado, acting as Agents)

**Re:**

Application for annulment of Council Decision 2012/635/CFSP of 15 October 2012 amending Decision 2010/413/CFSP concerning restrictive measures against Iran (OJ 2012 L 282, p. 58) and also of Council Implementing Regulation (EU) No 945/2012 of 15 October 2012 implementing Regulation (EU) No 267/2012 concerning restrictive measures against Iran (OJ 2012 L 282, p. 16), in so far as those acts concern the applicant.

**Operative part of the judgment**

The Court:

1. *Annuls Council Decision 2012/635/CFSP of 15 October 2012 amending Decision 2010/413/CFSP concerning restrictive measures against Iran, in so far as it listed Iran Liquefied Natural Gas Co. in Annex II to Council Decision 2010/413/CFSP of 26 July 2010 concerning restrictive measures against Iran and repealing Common Position 2007/140/CFSP;*

2. Annuls Council Implementing Regulation (EU) No 945/2012 of 15 October 2012 implementing Regulation (EU) No 267/2012 concerning restrictive measures against Iran, in so far as it listed Iran Liquefied Natural Gas in Annex IX to Council Regulation (EU) No 267/2012 of 23 March 2012 concerning restrictive measures against Iran and repealing Regulation (EU) No 961/2010;
3. Orders the effects of Decision 2012/635 and Implementing Regulation No 945/2012 to be maintained as regards Iran Liquefied Natural Gas until the date of expiry of the period for bringing an appeal stated in the first paragraph of Article 56 of the Statute of the Court of Justice of the European Union or, if an appeal has been brought within that period, until the dismissal of the appeal;
4. Orders the Council of the European Union to bear its own costs and to pay those incurred by Iran Liquefied Natural Gas in the context of the present proceedings and of the proceedings relating to the application for interim measures.

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<sup>(1)</sup> OJ C 55, 23.2.2013.

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**Judgment of the General Court of 15 September 2015 — Novartis Europharm v Commission**

**(Case T-67/13) <sup>(1)</sup>**

**(Medicinal products for human use — Marketing authorisation for the generic medicinal product Zoledronic acid Hospira — zoledronic acid — Regulatory data protection period for the reference medicinal products Zometa and Aclasta, containing the active substance zoledronic acid — Directive 2001/83/EC — Regulation (EEC) No 2309/93 and Regulation (EC) No 726/2004 — Global marketing authorisation — Regulatory data protection period)**

**(2015/C 363/37)**

*Language of the case: English*

**Parties**

*Applicant:* Novartis Europharm Ltd (Horsham, United Kingdom) (represented by: C. Schoonderbeek, lawyer)

*Defendant:* European Commission (represented by: K. Mifsud-Bonnici and M. Šimerdová, acting as Agents)

*Intervener in support of the defendant:* Hospira UK Ltd (Royal Leamington Spa, United Kingdom) (represented: initially by N. Stoate and H. Austin, Solicitors, and J. Stratford QC, and subsequently by N. Stoate and E. Vickers, Solicitors, and J. Stratford QC)

**Re:**

Application for annulment of Commission Implementing Decision C (2012) 8605 final of 19 November 2012 granting a marketing authorisation in accordance with Regulation (EC) No 726/2004 of the European Parliament and of the Council for the medicinal product for human use ‘Zoledronic acid Hospira — zoledronic acid’.