

Judgment of the General Court of 15 July 2015 — CSF v Commission(Case T-337/13) ⁽¹⁾

(Approximation of the laws — Directive 2006/42/EC — Machinery bearing the ‘EC’ marking — Essential safety requirements — Risks to the safety of persons — Safeguard clause — Commission decision declaring a national measure prohibiting the placing on the market to be justified — Conditions governing the implementation of the safeguard clause — Manifest error of assessment — Equal treatment)

(2015/C 302/61)

Language of the case: Italian

Parties

Applicant: CSF Srl (Grumolo delle Abbadesse, Italy) (represented by: R. Santoro, S. Armellini and R. Bugaro, lawyers)

Defendant: European Commission (represented by: G. Zavvos, acting as Agent, and M. Pappalardo, lawyer)

Intervener in support of the defendant: Kingdom of Denmark (represented by: initially V. Pasternak Jørgensen and M. Wolff, then M. Wolff, C. Thorning, U. Melgaard and N. Lyshøj, acting as Agents)

Re:

Application for annulment of Commission Decision 2013/173/EU of 8 April 2013 on a measure taken by Denmark according to Article 11 of Directive 2006/42/EC of the European Parliament and of the Council prohibiting a type of multi-purpose earthmoving machinery (OJ 2013 L 101, p. 29).

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders CSF Srl to bear its own costs and those incurred by the European Commission in the context of the present action and the proceedings for interim relief;
3. Orders the Kingdom of Denmark to bear its own costs.

⁽¹⁾ OJ C 233, 10.8.2013.

Judgment of the General Court of 15 July 2015 — TVR Automotive v OHIM — TVR Italia (TVR ITALIA)(Case T-398/13) ⁽¹⁾

(Community trade mark — Opposition proceedings — Application for Community figurative mark TVR ITALIA — Earlier national and Community word marks TVR — Relative ground for refusal — Likelihood of confusion — Article 8(1)(b) of Regulation (EC) No 207/2009 — Revocation proceedings — Genuine use of the earlier trade mark — Article 42(2) and (3) of Regulation No 207/2009 — Article 15(1) of Regulation No 207/2009)

(2015/C 302/62)

Language of the case: English

Parties

Applicant: TVR Automotive Ltd (Whiteley, United Kingdom) (represented by: A. von Mühlendahl and H. Hartwig, lawyers)