

Judgment of the General Court of 3 December 2015 — TrekStor v OHIM (iDrive)**(Case T-105/14) ⁽¹⁾****(Community trade mark — Opposition proceedings — Application for Community word mark iDrive — Prior German word mark IDRIVE — Relative ground for refusal — Likelihood of confusion — Article 8 (1)(b) of Regulation (EC) No 207/2009)**

(2016/C 027/51)

*Language of the case: German***Parties***Applicant:* TrekStor Ltd (Hong Kong, Hong Kong, China) (represented by: M. Alber and O. Spieker, lawyers)*Defendant:* Office for Harmonisation in the Internal Market (Trade Marks and Designs) (represented by: D. Walicka, acting as Agent)*Other party to the proceedings before the Board of Appeal of OHIM, intervening before the General Court:* Scanlab AG (Puchheim, Germany) (represented by: P. Rath and W. Festl-Wietek, lawyers)**Re:**

Action brought against the decision of the First Board of Appeal of OHIM of 2 December 2013 (Case R 2330/2012-1) concerning opposition proceedings between Scanlab AG and TrekStor Ltd.

Operative part of the judgment*The Court:*

1. *Rejects the request to stay the proceedings lodged by TrekStor Ltd;*
2. *Dismisses the action;*
3. *Orders TrekStor Ltd to pay the costs.*

⁽¹⁾ OJ C 112, 14.4.2014.

Judgment of the General Court of 3 December 2015 — Sesma Merino v OHIM**(Case T-127/14 P) ⁽¹⁾****(Appeal — Civil Service — Officials — Appraisal — Staff report — Objectives 2011-2012 — Measure adversely affecting a person — Admissibility)**

(2016/C 027/52)

*Language of the case: German***Parties***Appellant:* Alvaro Sesma Merino (El Campello, Spain) (represented by: H. Tettenborn, lawyer)*Other party to the proceedings:* Office for Harmonisation in the Internal Market (Trade Marks and Designs) (represented by: P. Saba and D. Botis, acting as Agents)**Re:**

Appeal brought against the judgment of the European Union Civil Service Tribunal (Third Chamber) of 11 December 2013 in Sesma Merino v OHIM (F-125/12, ECR-SC, EU:F:2013:192) seeking to have that judgment set aside.

Operative part of the judgment

The Court:

1. Dismisses the appeal;
2. Orders Mr Alvaro Sesma Merino to pay the costs.

⁽¹⁾ OJ C 184, 16.6.2014.

Judgment of the General Court of 26 November 2015 — Nürburgring v OHIM — Biedermann (Nordschleife)

(Case T-181/14) ⁽¹⁾

(Community trade mark — Opposition proceedings — Application for Community word mark Nordschleife — Earlier Community word mark Management by Nordschleife — Relative ground for refusal — Likelihood of confusion — Article 8(1)(b) of Regulation (EC) No 207/2009)

(2016/C 027/53)

Language of the case: German

Parties

Applicant: Nürburgring GmbH (Nürburg, Germany) (represented by: M. Viefhues and C. Giersdorf, lawyers)

Defendant: Office for Harmonisation in the Internal Market (Trade Marks and Designs) (represented by: M. Fischer, acting as Agent)

Other party to the proceedings before the Board of Appeal of OHIM: Lutz Biedermann (Villingen-Schwenningen, Germany)

Re:

Action brought against the decision of the Fourth Board of Appeal of OHIM of 20 January 2014 (Case R 163/2013-4) relating to opposition proceedings between Mr Lutz Biedermann and Nürburgring GmbH.

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders Nürburgring GmbH to pay the costs.

⁽¹⁾ OJ C 151, 19.5.2014.

Judgment of the General Court of 26 November 2015 — Bionecs v OHIM — Fidia farmaceutici (BIONECS)

(Case T-262/14) ⁽¹⁾

(Community trade mark — Opposition proceedings — Application for Community word mark BIONECS — Earlier international word mark BIONECT — Relative grounds for refusal — Likelihood of confusion — Article 8(1)(b) of Regulation (EC) No 207/2009)

(2016/C 027/54)

Language of the case: English

Parties

Applicant: Bionecs GmbH (Munich, Germany) (represented by: M. Knitter, lawyer)