

**Judgment of the General Court of 19 July 2016 — Alpha Calcit v EUIPO — Materis Paints Italia (CALCILITE)**

(Case T-742/14) <sup>(1)</sup>

**(EU trade mark — Invalidity proceedings — EU figurative mark CALCILITE — Earlier EU word mark Calcilit — Relative ground for refusal — Likelihood of confusion — Similarity of the goods — Article 8 (1)(b) and Article 53(1)(a) of Regulation (EC) No 207/2009 — Relevant public — Public common to the goods in question)**

(2016/C 314/27)

Language of the case: English

**Parties**

*Applicant:* Alpha Calcit Füllstoffgesellschaft mbH (Cologne, Germany) (represented by: F. Hauck, lawyer)

*Defendant:* European Union Intellectual Property Office (represented by: S. Palmero Cabezas, acting as Agent)

*Other party to the proceedings before the Board of Appeal of EUIPO, intervener before the General Court:* Materis Paints Italia SpA (Novate Milanese, Italy) (represented by: P.L. Roncaglia, F. Rossi and N. Parrotta, lawyers)

**Re:**

Action brought against the decision of the Fourth Board of Appeal of EUIPO of 4 September 2014 (Case R 753/2013-4), relating to invalidity proceedings between Alpha Calcit Füllstoffgesellschaft and Materis Paints Italia.

**Operative part of the judgment**

*The Court:*

1. Annuls the decision of the Fourth Board of Appeal of the European Union Intellectual Property Office (EUIPO) of 4 September 2014 (Case R 753/2013-4) as regards the 'paints, varnishes, lacquers; preservatives against rust and against deterioration of wood; colorants; mordants' covered by the contested trade mark;
2. Dismisses the action as to the remainder;
3. Orders Alpha Calcit Füllstoffgesellschaft mbH, EUIPO and Materis Paints Italia SpA to bear their own costs.

<sup>(1)</sup> OJ C 462, 22.12.2014.

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**Judgment of the General Court of 5 July 2016 –Commission v Hristov**

(Case T-26/15 P) <sup>(1)</sup>

**(Appeal — Civil Service — Appointment — Procedure for selection and appointment of the executive director of a regulatory agency — EMA — Pre-selection by a pre-selection panel — Appointment by the EMA's Management Board — Composition of the pre-selection board — Combination of functions as a member of the pre-selection panel and as a member of the EMA's Management Board — Impartiality)**

(2016/C 314/28)

Language of the case: Bulgarian

**Parties**

*Appellant:* European Commission (represented initially by J. Currall, N. Nikolova and S. Petrova, and subsequently by N. Nikolova and S. Petrova, acting as Agents)