

Re:

Application under Article 263 TFEU for annulment of the Parliament's decisions contained in the notices fixing the applicants' additional voluntary pension rights in so far as they introduce, for pensions established after 1 January 2019, a special levy of 5 % of the nominal amount of the pension, payable directly to the additional voluntary pension fund, pursuant to the decision of the Bureau of the European Parliament of 10 December 2018 amending the Implementing Measures for the Statute for Members of the European Parliament (OJ 2018 C 466, p. 8).

Operative part of the judgment

The Court:

1. Joins Cases T-720/19 to T-725/19 for the purposes of the judgment;
2. Dismisses the actions;
3. Orders Mr Richard Ashworth and the other applicants whose names are listed in the annex to pay the costs.

⁽¹⁾ OJ C 413, 9.12.2019.

Judgment of the General Court of 15 September 2021 — Albéa Services v EUIPO — dm-drogerie markt (ALBÉA)

(Case T-852/19) ⁽¹⁾

(EU trade mark — Opposition proceedings — International registration designating the European Union — Figurative mark ALBÉA — Earlier international registration designating the European Union — Word mark Balea — Relative ground for refusal — Likelihood of confusion — Distinctiveness of the earlier international registration designating the European Union — Article 8(1)(b) of Regulation (EC) No 207/2009 (now Article 8(1)(b) of Regulation (EU) 2017/1001))

(2021/C 452/23)

Language of the case: English

Parties

Applicant: Albéa Services (Gennevilliers, France) (represented by: J.-H. de Mitry, lawyer)

Defendant: European Union Intellectual Property Office (represented by: J. Crespo Carrillo and V. Ruzek, acting as Agents)

Other party to the proceedings before the Board of Appeal of EUIPO, intervener before the General Court: dm-drogerie markt GmbH & Co. KG (Karlsruhe, Germany) (represented by: O. Bludovsky, lawyer)

Re:

Action brought against the decision of the Second Board of Appeal of EUIPO of 23 September 2019 (Case R 1480/2019-2), relating to opposition proceedings between dm-drogerie markt and Albéa Services.

Operative part of the judgment

The Court:

1. Annuls the decision of the Second Board of Appeal of the European Union Intellectual Property Office (EUIPO) of 23 September 2019 (Case R 1480/2019-2) to the extent that it annulled the decision of the Opposition Division, except in so far as it annulled the decision of the Opposition Division as regards 'cosmetics' in Class 3;
2. Dismisses the remainder of the action;
3. Orders EUIPO to bear its own costs and to pay those incurred by Albéa Services;
4. Orders dm-drogerie markt GmbH & Co. KG to bear its own costs.

⁽¹⁾ OJ C 68, 2.3.2020.