

Judgment of the General Court of 21 January 2015 — Grundig Multimedia AG v OHIM (Pianissimo)(Case T-11/14) ⁽¹⁾**(Community trade mark — Application for Community word mark Pianissimo — Mark consisting of an advertising slogan — Absolute ground for refusal — Absence of distinctive character — Article 7(1)(b) of Regulation (EC) No 207/2009 — Equal treatment)**

(2015/C 073/38)

Language of the case: English

Parties*Applicant:* Grundig Multimedia AG (Stansstad, Switzerland) (represented by: S. Walter, lawyer)*Defendant:* Office for Harmonisation in the Internal Market (Trade Marks and Designs) (represented by: S. Bonne and A. Folliard-Monguiral, acting as Agents)**Re:**

Action brought against the decision of the Fourth Board of Appeal of OHIM of 5 November 2013 (Case R 441/2013-4), confirming rejection of the application for registration of the word sign Pianissimo as a Community trade mark.

Operative part of the judgment*The Court:*

- 1) *Dismisses the action;*
- 2) *Orders Grundig Multimedia AG to pay the costs.*

⁽¹⁾ OJ C 135, 5.5.2014.

Judgment of the General Court of 21 January 2015 — Grundig Multimedia v OHIM (GentleCare)(Case T-188/14) ⁽¹⁾**(Community trade mark — Application for Community word mark GentleCare — Absolute grounds for refusal — Descriptive character — Article 7(1)(c) of Regulation (EC) No 207/2009 — Equal treatment)**

(2015/C 073/39)

Language of the case: English

Parties*Applicant:* Grundig Multimedia AG (Stansstad, Switzerland) (represented by: S. Walter and M. Neuner, lawyers)*Defendant:* Office for Harmonisation in the Internal Market (Trade Marks and Designs) (represented by: P. Geroulakos, acting as Agent)**Re:**

Action brought against the decision of the Fifth Board of Appeal of OHIM of 24 January 2014 (Case R 739/2013-5) confirming rejection of the application for registration of the word sign GentleCare as a Community trade mark.

Operative part of the judgment

The Court:

- 1) Dismisses the action;
- 2) Orders Grundig Multimedia AG to pay the costs.

⁽¹⁾ OJ C 151, 19.5.2014.

Order of the General Court of 25 November 2014 — Moreda-Riviere Trefilerías v Commission
(Joined Cases T-426/10 and T-575/10 and Case T-440/12) ⁽¹⁾

(Actions for annulment — Competition — Cartels — European prestressing steel market — Price fixing, market sharing and exchange of sensitive commercial information — Decision finding an infringement of Article 101 TFEU — Decision amending the initial decision without affecting the fines imposed on the applicant — No legal interest in bringing proceedings — Partial manifest inadmissibility)

(2015/C 073/40)

Language of the case: Spanish

Parties

Applicant: Moreda-Riviere Trefilerías, SA (Gijón, Spain) (represented by: in Cases T-426/10 and T-575/10, F. González Díaz and A. Tresandi Blanco, and, in Case T-440/12, initially F. González Díaz and P. Herrero Prieto, then F. González Díaz and A. Tresandi Blanco, lawyers)

Defendant: European Commission (represented by: F. Castillo de la Torre and V. Bottka, and, in Case T-440/12, C. Urraca Caviedes, Agents, and in Cases T-426/10 and T-440/12, by L. Ortiz Blanco, lawyer)

Re:

Applications for annulment and alteration of Commission Decision C (2010) 4387 final of 30 June 2010 relating to a proceeding under Article 101 TFEU and Article 53 of the EEA Agreement (Case COMP/38344 — Prestressing steel), amended by Commission Decision C (2010) 6676 final of 30 September 2010 and by Commission Decision C (2011) 2269 final of 4 April 2011, and by the letter COMP/G2/DVE/nvz/79465 from the Commission's Director-General for Competition of 25 July 2012.

Operative part of the order

1. In Case T-426/10, the form of order seeking annulment in part of Commission Decision C (2010) 6676 final of 30 September 2010 amending Commission Decision C (2010) 4387 final of 30 June 2010 relating to a proceeding under Article 101 TFEU and Article 53 of the European Economic Area (EEA) Agreement (Case COMP/38344 — Prestressing steel) is rejected as manifestly inadmissible.