Mark or sign cited in opposition:	Figurative mark COHIBA (Community mark No 3323292), word mark COHIBA (Spanish mark No 1271173) and the figurative mark COHIBA (Spanish mark No 2052344) in respect of products in Class 34
Decision of the Opposition Division:	Opposition dismissed
Decision of the Board of Appeal:	Appeal dismissed

Operative part

The Court:

1. Dismisses the action;

2. Orders Corporación Habanos, SA to bear its own costs and pay those of the Office for Harmonisation in the Internal Market (Trade Marks and Designs) (OHIM);

3. Orders Tabacos de Centroamérica, SL to bear its own costs.

Judgment of the General Court (Second Chamber) of 18 May 2011 — Glenton España v OHIM — Polo/Lauren (POLO SANTA MARIA)

(Case T-376/09)

(Community trade mark — Opposition proceedings — Application for Community figurative mark POLO SANTA MARIA — Earlier Benelux figurative mark showing the silhouette of a polo player — Relative ground for refusal — Likelihood of confusion — Article 8(1)(b) of Regulation (EC) No 207/2009)

1. *Community trade mark — Definition and acquisition of the Community trade mark — Relative grounds for refusal — Opposition by the proprietor of an earlier identical or similar mark registered for identical or similar goods or services — Similarity of the marks concerned — Criteria for assessment — Complex mark (Council Regulation No 207/2009, Art. 8(1)(b)) (see paras 24-25, 34)*

2. *Community trade mark — Definition and acquisition of the Community trade mark — Relative grounds for refusal — Opposition by the proprietor of an earlier identical or similar mark registered for identical or similar goods or services — Likelihood of confusion with the earlier mark (Council Regulation No 207/2009, Art. 8(1)(b)) (see paras 22, 59)*

Re:

ACTION brought against the decision of the Second Board of Appeal of OHIM of 18 June 2009 (Case R 594/2008-2) in relation to opposition proceedings between The Polo/Lauren Company, LP, and Glenton España, SA.

Information relating to the case

Applicant for the Community trade mark:	Glenton España, SA
Community trade mark sought:	Figurative mark POLO SANTA MARIA for goods and services in Classes 18, 25, 36, 41 and 43 — Application No 3976776
Proprietor of the mark or sign cited in the opposition proceedings:	The Polo/Lauren Company, LP

Mark or sign cited in opposition:	Benelux trade mark registration of the figurative mark device of a silhouette of a polo player for goods in Classes 18 and 25
Decision of the Opposition Division:	Opposition upheld in respect of all the goods in dispute
Decision of the Board of Appeal:	Contested decision annulled in part

Operative part

The Court:

1. Dismisses the action;

2. Orders Glenton España, SA to pay the costs.

Order of the General Court (First Chamber) of 19 May 2011 — Formenti Seleco v Commission

(Case T-210/09)

(EEC-Turkey Association Agreement — Importation of colour televisions from Turkey — Action for damages — Statute barred — Inadmissibility)

Actions for damages — Limitation period — Point from which time starts to run — Damage of a continuing nature — Date to be taken into consideration (Art. 288, second para., EC; Statute of the Court of Justice, Art. 46) (see paras 47-48, 50, 61-62)