**Operative part**

The Court:

1. Dismisses the action;

2. Orders Deutscher Raiffeisenverband eV (DRV) to pay the costs.

## Judgment of the General Court (Fourth Chamber) of 13 September 2011 — Ruiz de la Prada de Sentmenat v OHIM — Quant (AGATHA RUIZ DE LA PRADA)

**(Case T-522/08)**

(Community trade mark — Opposition proceedings — Application for Community figurative mark AGATHA RUIZ DE LA PRADA — Earlier Community figurative mark representing a black and white flower — Likelihood of confusion — Article 8(1)(b) of Regulation (EC) No 40/94 (now Article 8(1)(b) of Regulation (EC) No 207/2009)

*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 40/94, Art. 8(1)(b)) (see paras 25, 36, 54, 67)*

**Re:**

ACTION brought against the decision of the First Board of Appeal of OHIM of 17 September 2008 (Case R 1523/2007-1), relating to opposition proceedings between Mary Quant Ltd and Agatha Ruiz de la Prada de Sentmenat.

**Operative part**

The Court:

1. Dismisses the action;

2. Orders Agatha Ruiz de la Prada de Sentmenat to pay the costs.

**Judgment of the General Court (Fourth Chamber) of 13 September 2011 — Ruiz de la Prada de Sentmenat v OHIM — Quant Cosmetics Japan (AGATHA RUIZ DE LA PRADA)**

**(Case T-523/08)**

(Community trade mark — Opposition proceedings — Application for Community figurative mark AGATHA RUIZ DE LA PRADA — Earlier national and Community figurative marks representing a black and white flower — Likelihood of confusion — Article 8(1)(b) of Regulation (EC) No 40/94 (now Article 8(1)(b) of Regulation (EC) No 207/2009)

*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 40/94, Art. 8(1)(b)) (see paras 25, 31, 49, 62)*

**Re:**

ACTION brought against the decision of the First Board of Appeal of OHIM of 17 September 2008 (Case R 1522/2007-1), relating to opposition proceedings between Mary Quant Cosmetics Japan Ltd and Agatha Ruiz de la Prada de Sentmenat.