INFORMATION ON UNPUBLISHED DECISIONS

Reports of Cases

Judgment of the General Court (Fifth Chamber) of 2 February 2012 — Almunia Textil v OHIM — FIBA-Europe (EuroBasket)

(Case T-596/10)

(Community trade mark — Opposition proceedings — Application for Community word mark EuroBasket — Earlier Community figurative mark Basket — Relative ground for refusal — Likelihood of confusion — 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 207/2009, Art. 8(1)(b)) (see paras 22, 23, 46, 50)

Re:

ACTION brought against the decision of the First Board of Appeal of OHIM of 6 October 2010 (Case R 280/2010-1) concerning opposition proceedings between Almunia Textil, SA and FIBA-Europe eV.

Operative part

The Court:

1. Dismisses the action;

2. Orders Almunia Textil, SA to bear its own costs and to pay the costs incurred by the Office for Harmonisation in the Internal Market (Trade Marks and Designs) (OHIM) and FIBA-Europe eV including, in respect of the latter, the unavoidable costs incurred for the purposes of the proceedings before the Board of Appeal.