Re:

APPLICATION for suspension of the operation of the decision contained in the Commission's letter of 10 July 2009 terminating the applicant's participation in two Community projects and the debit notes issued on 7 August 2009 by which the Commission claimed repayment of sums paid pursuant to Community projects in which the applicant participated.

Operative part

1. The European Commission shall be regarded as the sole defendant.

2. The application for interim measures is dismissed.

3. The costs are reserved.

Judgment of the General Court (single judge) of 18 March 2010 — KEK Diavlos v Commission

(Case T-190/07)

(Financial assistance for the European citizen information programme (Prince) — Project concerning preparation for the introduction of the euro in schools — Decision ordering reimbursement of the advance paid — Duty to state reasons — Error of assessment)

Actions for annulment — Grounds — Lack of or inadequate statement of reasons — Error of assessment (Art. 230 EC) (see paras 36-39, 48, 50-52, 66-67, 70, 74, 77)

Re:

APPLICATION for annulment of Commission Decision C(2006) 465 Final of 23 February 2006 ordering the reimbursement of the advance, together with interest, paid under a contract for financial assistance, concluded under the Prince programme, for an operation entitled 'The EURO — its genuine and essential impact on school children' (Eurogenesis), concerning preparation for the introduction of the euro in schools.

Operative part

The Court:

1. Dismisses the action;

2. Orders KEK Diavlos to pay the costs.

Judgment of the General Court (Third Chamber) of 19 March 2010 — Mirto Corporación Empresarial v OHIM — Maglificio Barbara (Mirtillino)

(Case T-427/07)

(Community trade mark — Opposition proceedings — Application for Community figurative mark Mirtillino — Earlier Community word mark MIRTO — Relative ground for refusal — 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 40-42, 81)