2. Orders Mundipharma AG to pay the costs, except those incurred by ALK-Abelló A/S;

3. Orders ALK-Abelló to bear its own costs.

Judgment of the General Court (Fifth Chamber) of 4 March 2010 — Monoscoop v OHIM (SUDOKU SAMURAI BINGO)

(Case T-564/08)

(Community trade mark — Application for Community word mark SUDOKU SAMURAI BINGO — Absolute ground for refusal — Descriptive character — Article 7(1)(c) of Regulation (EC) No 40/94 (now Article 7(1)(c) of Regulation (EC) No 207/2009))

Community trade mark — Definition and acquisition of the Community trade mark — Absolute grounds for refusal — Marks composed exclusively of signs or indications which may serve to designate the characteristics of goods (Council Regulation No 40/94, Art. 7(1)(c)) (see paras 18, 28, 35)

Re:

ACTION brought against the decision of the Second Board of Appeal of OHIM of 30 September 2008 (Case R 816/2008-2) concerning an application for registration of the word mark SUDOKU SAMURAI BINGO as a Community trade mark.

Information relating to the case

Applicant for the Community trade mark:	Monoscoop BV
Community trade mark sought:	Word mark SUDOKU SAMURAI BINGO for goods and services in Classes 9, 28 and 41 — application No 5769013
Decision of the Examiner:	Application dismissed
Decision of the Board of Appeal:	Appeal dismissed

Operative part

The Court:

1. Dismisses the action;

2. Orders Monoscoop BV to pay the costs.

Judgment of the General Court (Second Chamber) of 9 March 2010 — Euro-Information v OHIM (EURO AUTOMATIC CASH)

(Case T-15/09)

(Community trade mark — Application for Community word mark EURO AUTOMATIC CASH — Absolute grounds for refusal — Lack of distinctive character — Article 7(1)(b) of Regulation (EC) No 40/94 (now Article 7(1)(b) of Regulation (EC) No 207/2009) — Distinctive character — Article 7(1)(c) of Regulation (EC) No 40/94 (now Article 7(1)(c) of Regulation (EC) No 207/2009))