the field of information, communication and the media (OJ 2007 C 45 A, p. 3) and Notice of Open Competition EPSO/AST/37/07 for the drawing up of a reserve list for the recruitment of Assistants (AST 3) in the field of communication and information (OJ 2007 C 45 A, p. 15), and Notice of Open Competition EPSO/AD/95/07 for the drawing up of a reserve list for the recruitment of Administrators (AD 5) in the field of information science (library/documentation) (OJ 2007 C 103 A, p. 7).

Operative part

The Court:

1. Dismisses the actions;

2. Orders the Italian Republic to bear its own costs and to pay those of the European Commission;

3. Orders the Republic of Lithuania and the Hellenic Republic to bear their own costs.

Judgment of the General Court (Sixth Chamber) of 13 September 2010 — Procter & Gamble v OHIM — Prestige Cosmetics (P&G PRESTIGE BEAUTE)

(Case T-366/07)

(Community trade mark — Opposition proceedings — Application for Community word mark P&G PRESTIGE BEAUTE — Earlier national figurative marks Prestige — Partial refusal to register — Relative ground for refusal — No 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 51, 85)

Re:

ACTION brought against the decision of the Second Board of Appeal of OHIM of 19 July 2007 (Case R 681/2006-2) relating to opposition proceedings between Prestige Cosmetics Srl and The Procter & Gamble Company.

Information relating to the case

Applicant for the Community trade mark:	The Procter & Gamble Company
Community trade mark sought:	Word mark P&G PRESTIGE BEAUTE for, inter alia, goods in Class 3
Proprietor of the mark or sign cited in the opposition proceedings:	Prestige Cosmetics Srl
Mark or sign cited in opposition:	National figurative marks Prestige for goods in Class 3
Decision of the Opposition Division:	Opposition partially upheld
Decision of the Board of Appeal:	Appeal dismissed

Operative part

The Court:

1. Annuls the decision of the Second Board of Appeal of the Office for Harmonisation in the Internal Market (Trade Marks and Designs) (OHIM) of 19 July 2007 (Case R 681/2006-2);

2. Orders OHIM to pay, in addition to its own costs, the costs incurred by The Procter & Gamble Company in the proceedings before the Court;

3. Orders Prestige Cosmetics SpA to pay, in addition to its own costs, the costs incurred by The Procter & Gamble Company in the proceedings before the Board of Appeal;

4. Dismisses the action as to the remainder.

Judgment of the General Court (Sixth Chamber) of 13 September 2010 — Travel Service v OHIM — Eurowings Luftverkehrs (smartWings)

(Case T-72/08)

(Community trade mark — Opposition proceedings — Application for the Community figurative mark smartWings — Earlier national and international word and figurative marks EUROWINGS and EuroWings — Relative ground for refusal — Likelihood of confusion — Similarity of the signs — Article 8(1)(b) of Regulation (EC) No 40/94 (now Article 8(1)(b) of Regulation (EC) No 207/2009) — Duty to state reasons — Article 73 of Regulation No 40/94 (now Article 75 of Regulation No 207/2009) — Article 79 of Regulation No 40/94 (now Article 83 of Regulation No 207/2009)