Judgment of the General Court (Sixth Chamber) of 15 June 2011 — Graf-Syteco v OHIM — Teco Electric & Machinery (SYTECO)

(Case T-229/10)

(Community trade mark — Opposition proceedings — Application for Community word mark SYTECO — Earlier figurative national and Benelux marks TECO — Relative grounds for refusal — No likelihood of confusion — No similarity between the signs — Article 8(1)(b) of Regulation (EC) No 207/2009 — Partial refusal to register)

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 24-27, 41)

Re:

ACTION brought against the decision of the First Board of Appeal of OHIM of 18 February 2010 (Case R 230/2009-1) concerning opposition proceedings between Teco Electric & Machinery Co. Ltd and Graf-Syteco GmbH & Co. KG.

Information relating to the case

Applicant for the Community trade mark:	Graf-Syteco GmbH & Co. KG
Community trade mark sought:	Word mark SYTECO for goods and services in Classes 9, 37 and 42 — Application No 5061494

Proprietor of the mark or sign cited in the opposition proceedings:	Teco Electric & Machinery Co. Ltd
Mark or sign cited in opposition:	Four national figurative marks including the word element TECO for goods in Classes 7, 9 and 11
Decision of the Opposition Division:	Opposition partially upheld
Decision of the Board of Appeal:	Appeal dismissed

Operative part

The Court:

1. Dismisses the action;

2. Orders Graf-Syteco GmbH & Co. KG to pay the costs.

Order of the General Court (Third Chamber) of 15 June 2011 — Ax v Council

(Case T-259/10)

(Action for annulment — European Union financial assistance to a Member State experiencing serious economic or financial disruption — Regulation establishing the conditions and procedures under which European Union financial assistance may be granted — Article 263, fourth paragraph, TFEU — No direct concern — Inadmissibility)