2. Orders Cabel Hall Citrus Ltd to pay the costs.

Judgment of the General Court (First Chamber) of 20 April 2010 — Rodd & Gunn Australia v OHIM (Representation of a dog)

(Case T-187/08)

(Community trade mark — Figurative Community trade mark representing a dog — Cancellation of the mark upon expiry of the registration — Request for renewal of the mark — Application for *restitutio in integrum* — Article 78 of Regulation (EC) No 40/94 (now Article 81 of Regulation (EC) No 207/2009))

Community trade mark — Procedural provisions — Restitutio in integrum (Council Regulation No 40/94, Art. 78(1)) (see para. 29)

Re:

ACTION brought against the decision of the Fourth Board of Appeal of OHIM of 12 March 2008 (Case R 1245/2007-4) relating to an application for *restitutio in integrum*.

Information relating to the case

Community trade mark sought:	Figurative mark consisting of a representation of a dog for goods in Classes 16, 18, and 25 — Community trade mark No 339218
Decision of the Trade Marks and Register Department:	Application for *restitutio in integrum* dismissed
Decision of the Board of Appeal:	Appeal dismissed

Operative part

The Court:

1. Dismisses the action;

2. Orders Rodd & Gunn Australia Ltd to pay the costs.

Judgment of the General Court (First Chamber) of 21 April 2010 — Coin v OHIM — Dynamiki Zoi (Fitcoin)

(Case T-249/08)

(Community trade mark — Opposition proceedings — Application for the Community word mark Fitcoin — Earlier national, international and Community figurative marks coin — Relative ground for refusal — Relevant public — 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 para. 26)

Re:

ACTION brought against the decision of the First Board of Appeal of OHIM of 15 April 2008 (Case R 1429/2007-1), relating to opposition proceedings between Coin SpA and Dynamiki Zoi AE.