Re:

ACTION brought against the decision of the First Board of Appeal of OHIM of 23 June 2010 (Case R 1543/2009-1) concerning the applicant's application for full re-establishment of its rights.

Operative part

1. The application is dismissed as manifestly lacking a legal basis.

2. ara AG is ordered to pay the costs.

Judgment of the General Court (Sixth Chamber) of 14 September 2011 — Tegebauer v Parliament

(Case T-308/07)

(Right to petition — Petition addressed to the Parliament — Decision to take no action — Action for annulment — Actionable measure — Admissibility — Obligation to state reasons)

1. *Procedure — Application initiating proceedings — Formal requirements — Brief summary of the pleas in law on which the application is based — Reference to the annex in support of arguments set out in the pleadings — Admissibility (Statute of the Court of Justice, Arts 21, first para., and 53, first para.; Rules of Procedure of the General Court, Art. 44(1)(c)) (see paras 18-20)*

2. *Actions for annulment — Actionable measures — Concept — Measures producing binding legal effects — Decision of the Committee on Petitions of the Parliament to take no action on a petition — Included (Arts 194 EC and 230EC) (see para. 21)*

3. *Acts of the institutions — Statement of reasons — Obligation — Scope — Decision of the Committee on Petitions of the Parliament to take no action on a petition (Art. 194 EC; European Parliament Regulation, Art. 191(6)) (see paras 23-30)*

Re:

ANNULMENT of the Decision of the Committee on Petitions of the European Parliament of 20 June 2007 to file and take no further action on the petition submitted by the applicant on 7 February 2007 (Petition No 95/2007).

Operative part

The Court:

1. Annuls the Decision of the Committee on Petitions of the European Parliament of 20 June 2007 to file and take no further action on the petition submitted by Mr Ingo-Jens Tegebauer on 7 February 2007 (Petition No 95/2007);

2. Orders the European Parliament to bear its own costs and to pay the costs incurred by Mr Tegebauer.

Judgment of the General Court (Sixth Chamber) of 14 September 2011 — Olive Line International v OHIM — Knopf (O-live)

(Case T-485/07)

(Community trade mark — Opposition proceedings — Application for Community figurative mark O-live — Earlier national trade name Olive line — Relative ground for refusal — Article 8(4) of Regulation (EC) No 40/94 (now Article 8(4) of Regulation (EC) No 207/2009) — Right to prohibit use of a subsequent mark — Likelihood of confusion — Article 7 of the Spanish Trade Mark Law and Article 8(1) of Regulation No 40/94 (now Article 8(1) of Regulation No 207/2009)