3. Orders Européenne de traitement de l'information (Euro-Information) to pay one fifth of the costs incurred by the parties before the Court;

4. Orders OHIM to pay the essential costs incurred by the applicant for the purposes of the proceedings before the Board of Appeal of OHIM.

Judgment of the General Court (Second Chamber) of 9 March 2010 — hofherr communikation v OHIM (NATURE WATCH)

(Case T-77/09)

(Community trade mark — International registration designating the European Community — Word mark NATURE WATCH — 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 23, 39)

Re:

ACTION brought against the decision of the First Board of Appeal of OHIM of 4 December 2008 (Case R 1410/2008-1) concerning the international registration, designating the European Community, of the word sign NATURE WATCH.

Information relating to the case

Applicant for the Community trade mark:	hofherr communikation GmbH
Community trade mark sought:	Word mark NATURE WATCH for goods and services in Classes 9, 39, 41 and 43 — international registration No WOO957541
Decision of the examiner:	Registration refused
Decision of the Board of Appeal:	Appeal dismissed

Operative part

The Court:

1. Dismisses the action;

2. Orders hofherr communikation GmbH to pay the costs.

Judgment of the General Court (First Chamber) of 10 March 2010 — Baid v OHIM (LE GOMMAGE DES FACADES)

(Case T-31/09)

(Community trade mark — Application for the Community word mark LE GOMMAGE DES FACADES — 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) — Duty to state reasons — First sentence of Article 73 of Regulation No 40/94 (now the first sentence of Article 75 of Regulation No 207/2009))