Re:

ACTION brought against the decision of the Second Board of Appeal of OHIM of 28 January 2010 (Case R 1514/2008 2) relating to opposition proceedings between Seven SpA and Seven for all Mankind LLC.

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 28 January 2010 (Case R 1514/2008 2);

2. Dismisses the action as to the remainder;

3. Orders OHIM to pay the costs incurred by Seven SpA in the proceedings before the General Court and those incurred by Seven SpA for the purposes of the proceedings before the Board of Appeal;

4. Orders Seven for all Mankind LLC to bear its own costs.

Judgment of the General Court (Seventh Chamber) of 6 October 2011 — Industrias Francisco Ivars v OHIM — Motive (Mechanical speed reducer)

(Case T-246/10)

(Community designs — Invalidity proceedings — Registered Community design representing a mechanical speed reducer — Earlier Community design — Ground of invalidity — No individual character — No different overall impression — Article 6 and Article 25(1)(b) of Regulation (EC) No 6/2002)

Community designs — Ground for invalidity — No individual character — Design not producing on the informed user a different overall impression from that produced by the previous design — Representation of a mechanical speed reducer (Council Regulation No 6/2002, Arts 6(1) and 25(1)(b)) (see paras 21-22, 24-26, 28)

Re:

ACTION brought against the decision of the Third Board of Appeal of OHIM of 16 March 2010 (Case R 1337/2008-3) relating to invalidity proceedings between Motive Srl and Industrias Francisco Ivars, SL.

Operative part

The Court:

1. Dismisses the action;

2. Orders Industrias Francisco Ivars, SL to pay the costs.

Judgment of the General Court (Sixth Chamber) of 6 October 2011 — medi v OHIM — Deutsche Medien Center (deutschemedi.de)

(Case T-247/10)

(Community trade mark — Opposition proceedings — Application for the Community word mark deutschemedi.de — Earlier Community word mark World of medi, earlier national figurative and word marks medi.eu, medi welt, medi-Verband and medi, and earlier trading name and company name medi — Relative ground for refusal — Likelihood of confusion — Article 8(1) of Regulation (EC) No 207/2009)