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)

1. *Community trade mark — Definition and acquisition of the Community trade mark — Relative grounds for refusal — Opposition by the proprietor of an unregistered trade mark or other sign used in the course of trade — Conditions — Interpretation in the light of Community law — Assessment having regard to criteria laid down by national law governing the sign invoked (Council Regulation No 40/94, Art. 8(4)) (see paras 49-51)*

2. *Community trade mark — Definition and acquisition of the Community trade mark — Relative grounds for refusal — Opposition by the proprietor of an unregistered trade mark or other sign used in the course of trade (Council Regulation No 40/94, Art. 8(4)) (see paras 67, 103-107)*

Re:

ACTION brought against the decision of the Second Board of Appeal of OHIM of 26 September 2007 (Case R 1478/2006-2) in opposition proceedings between Olive Line International, SL, and Mr Reinhard Knopf.

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 26 September 2007 (Case R 1478/2006-2);

2. Orders OHIM to pay the costs;

3. Orders Mr Reinhard Knopf to bear his own costs.