Operative part

The Court:

1. Annuls Call for expressions of interest EPSO/CAST/EU/27/07 to constitute a database of candidates to be recruited as contractual agents carrying out various activities within the European institutions and agencies, published on the website of the European Personnel Selection Office (EPSO) on 27 March 2007;

2. Orders the Italian Republic and the European Commission to bear their own costs.

Judgment of the General Court (Eighth Chamber) of 3 February 2011 — Gühring v OHIM (Combination of the colours broom yellow and silver grey and combination of the colours yellow ochre and silver grey)

(Cases T-299/09 and T-300/09)

(Community trade mark — Application for a Community trade mark consisting of a combination of the colours broom yellow and silver grey — Application for a Community trade mark consisting of a combination of the colours yellow ochre and silver grey — Absolute ground for refusal — Lack of distinctive character — Article 7(1)(b) of Regulation (EC) No 207/2009 — Examination of the facts of the Court's own motion — Article 76(1) of Regulation No 207/2009 — Duty to state reasons — Article 75 of Regulation No 207/2009)

1. *Community trade mark — Procedural provisions — Statement of reasons for decisions — Article 75, first sentence, of Regulation No 207/2009 — Scope identical to that of Article 253 EC (Art. 253 EC; Council Regulation No 207/2009, Art. 75, first sentence) (see para. 16)*

2. *Community trade mark — Procedural provisions — Statement of reasons for decisions (Council Regulation No 207/2009, Art. 75) (see paras 17-19)*

3. *Community trade mark — Definition and acquisition of the Community trade mark — Absolute grounds for refusal — Marks devoid of any distinctive character (Council Regulation No 207/2009, Art. 7(1)(b)) (see paras 63, 65, 73)*

Re:

Two actions brought against the decisions of the First Board of Appeal of OHIM of 30 April 2009 (Cases R 1330/2008-1 and R 1329/2008-1) concerning applications for registration of the combination of the colours broom yellow and silver grey and the combination of the colours yellow ochre and silver grey as Community trade marks.

Information relating to the case

Applicant for the Community trade marks:	Gühring OHG
Community trade marks concerned:	Mark made up of a combination of the colours of broom yellow and silver grey for goods in Class 7 — Application No 6703581 Mark made up of a combination of the colours of yellow ochre and silver grey for goods in Class 7 — Application No 6703565
Decision of the Opposition Division:	Registrations refused
Decision of the Board of Appeal:	Appeals dismissed

Operative part

The Court:

1. Orders that Cases T-299/09 and T-300/09 be joined for the purposes of the judgment;

2. Dismisses the actions;

3. Orders Gühring OHG to pay the costs.

Judgment of the General Court (First Chamber) of 15 February 2011 — Yorma's v OHIM — Norma Lebensmittelfilialbetrieb (YORMA'S)

(Case T-213/09)

(Community trade mark — Opposition proceedings — Application for the Community figurative mark including the word element 'yorma's' — Earlier Community word mark NORMA — Relative ground for refusal — 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 paras 26, 55, 86, 88)

Re:

ACTION brought against the decision of the First Board of Appeal of OHIM of 20 February 2009 (Case R 1879/2007-1), concerning opposition proceedings between Norma Lebensmittelfilialbetrieb GmbH & Co. KG and Yorma's AG.