



IMPORTANT LEGAL NOTICE - The information on this site is subject to a [disclaimer and a copyright notice](#).

JUDGMENT OF THE COURT (Grand Chamber)

11 September 2007 (*)

(Trade marks – Articles 5(1)(a) and 6(1)(a) of First Directive 89/104/EEC – Right of the proprietor of a registered trade mark to oppose the use by a third party of a sign which is identical to the mark – Use of the sign as a company, trade or shop name – Right of the third party to use his name)

In Case C-17/06,

REFERENCE for a preliminary ruling under Article 234 EC by the Cour d'appel de Nancy (France), made by decision of 9 January 2006, received at the Court on 17 January 2006, in the proceedings

Céline SARL

v

Céline SA,

THE COURT (Grand Chamber),

composed of V. Skouris, President, P. Jann, C.W.A. Timmermans, A. Rosas, K. Lenaerts and R. Schintgen, Presidents of Chambers, A. Tizzano, J.N. Cunha Rodrigues, A. Borg Barthet, M. Ilešič (Rapporteur), J. Malenovský, J.-C. Bonichot and T. von Danwitz, Judges,

Advocate General: E. Sharpston,

Registrar: M.-A. Gaudissart, Head of Unit,

having regard to the written procedure and further to the hearing on 7 November 2006,

after considering the observations submitted on behalf of:

- Céline SA, by P. de Candé, avocat,
- the French Government, by G. de Bergues and J.-C. Niollet, acting as Agents,
- the Italian Government, by I.M. Braguglia, acting as Agent, and by S. Fiorentino, avvocato dello Stato,
- the United Kingdom Government, by V. Jackson, acting as Agent, and by M. Tappin, Barrister,
- the Commission of the European Communities, by W. Wils, acting as Agent,

after hearing the Opinion of the Advocate General at the sitting on 18 January 2007,