

**Action brought on 14 August 2023 — Enterprise Holdings v EUIPO — Qommute
(COMMUTE WITH ENTERPRISE)**

(Case T-500/23)

(2023/C 338/55)

Language in which the application was lodged: English

Parties

Applicant: Enterprise Holdings, Inc. (Saint Louis, Missouri, United States) (represented by: M. Forde, Solicitor)

Defendant: European Union Intellectual Property Office (EUIPO)

Other party to the proceedings before the Board of Appeal: Qommute SARL (Marseille, France)

Details of the proceedings before EUIPO

Applicant of the trade mark at issue: Applicant before the General Court

Trade mark at issue: Application for European Union word trade mark COMMUTE WITH ENTERPRISE — Application for registration No 17 947 155

Procedure before EUIPO: Opposition proceedings

Contested decision: Decision of the Fifth Board of Appeal of EUIPO of 1 June 2023 in Case R 989/2022-5

Form of order sought

The applicant claims that the Court should:

- annul the contested decision;
- in the alternative, alter the contested decision in the sense that the opposition is remitted to the Opposition Division;
- order the defendant to pay the applicant's costs in the present proceedings and before the Board of Appeal of EUIPO; in the alternative, should the other party before the Board of Appeal of EUIPO intervene, order the defendant and intervener jointly and severally to pay the applicant's costs in the present proceedings and before the Board of Appeal of EUIPO.

Plea in law

Infringement of Article 8(1)(b) of Regulation (EU) 2017/1001 of the European Parliament and of the Council.

Action brought on 15 August 2023 — Listan v EUIPO (Silent Loop)

(Case T-501/23)

(2023/C 338/56)

Language of the case: German

Parties

Applicant: Listan GmbH (Glinde, Germany) (represented by: S. Pietzcker and C. Spintig, lawyers)

Defendant: European Union Intellectual Property Office (EUIPO)