



C/2023/349

30.10.2023

**Action brought on 8 September 2023 — Skins IP v EUIPO — Symphony (S SKINS)**

**(Case T-559/23)**

(C/2023/349)

*Language in which the application was lodged: English*

**Parties**

*Applicant:* Skins IP Ltd (Shirebrook, United Kingdom) (represented by: S. Malynicz, Barrister-at-Law)

*Defendant:* European Union Intellectual Property Office

*Other party to the proceedings before the Board of Appeal:* Symphony Holdings Ltd (Hamilton, Bermuda)

**Details of the proceedings before EUIPO**

*Proprietor of the trade mark at issue:* Other party to the proceedings before the Board of Appeal

*Trade mark at issue:* European Union figurative mark S SKINS — European Union trade mark No 5 310 511

*Procedure before EUIPO:* Cancellation proceedings

*Contested decision:* Decision of the Second Board of Appeal of EUIPO of 12 June 2023 in Case R 1796/2022-2

**Form of order sought**

The applicant claims that the Court should:

- annul the contested decision;
- decide the appeal and revoke the class 10 specification in its entirety and revoke the class 25 specification save for the following goods:
  - Class 25: ‘Clothing, headgear, namely compression clothing, fitness wear, running wear’;
- order EUIPO and the intervener (if the other party to the EUIPO proceedings duly participates as intervener) do bear their own costs and pay those of the applicant for annulment.

**Pleas in law**

- Infringement of article 58(1)(a) of Regulation (EU) 2017/1001 of the European Parliament and of the Council;
  - Infringement of article 58(2) of Regulation (EU) 2017/1001 of the European Parliament and of the Council.
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