



C/2024/1109

5.2.2024

Action brought on 15 December 2023 — Jacob Cohen Company v EUIPO — Giada (613)

(Case T-1159/23)

(C/2024/1109)

Language in which the application was lodged: Italian

Parties

Applicant: Jacob Cohen Company SpA (Milan, Italy) (represented by: L. Trevisan, lawyer)

Defendant: European Union Intellectual Property Office

Other party to the proceedings before the Board of Appeal: Giada SpA (Adria, Italy)

Details of the proceedings before EUIPO

Applicant for the trade mark at issue: Other party to the proceedings before the Board of Appeal

Trade mark at issue: Application for the EU word mark 613 — Application No 18 244 164

Proceedings before EUIPO: Opposition proceedings

Contested decision: Decision of the Fifth Board of Appeal of EUIPO of 9 October 2023 in Case R 1439/2022-5

Form of order sought

The applicant claims that the Court should:

- annul the contested decision;
- order the rejection of the application for registration of the EU trade mark No 18 244 164 ‘613’ in respect of all the goods and services claimed;
- order Giada SpA to pay the costs of the present proceedings and those of the previous opposition and appeal, including legal costs.

Pleas in law

- Infringement of Article 8(4) of Regulation (EU) 2017/1001 of the European Parliament and of the Council;
- Infringement of Article 8(3) of Regulation (EU) 2017/1001 of the European Parliament and of the Council.