



C/2024/5652

30.9.2024

Action brought on 14 August 2024 – Ffauf Italia v EUIPO – Industria de Diseño Textil (pastaZARA Sublime)

(Case T-425/24)

(C/2024/5652)

Language in which the application was lodged: English

Parties

Applicant: Ffauf Italia SpA (Riese Pio X, Italy) (represented by: P. Creta, A. Lanzarini, B. Costa and V. Basilavecchia, lawyers)

Defendant: European Union Intellectual Property Office

Other party to the proceedings before the Board of Appeal: Industria de Diseño Textil, SA (Arteixo, Spain)

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 figurative mark pastaZARA Sublime – Application for registration No 7 016 439

Procedure before EUIPO: Opposition proceedings

Contested decision: Decision of the Fifth Board of Appeal of EUIPO of 3 June 2024 in Case R 1576/2023-5

Form of order sought

The applicant claims that the Court should:

- annul the contested decision;
- order EUIPO and, as the case may be, by the other party to the proceedings before the EUIPO to pay the costs.

Pleas in law

- Assessment of the reputation of the earlier mark;
- Similarity between the conflicting signs;
- Link between the (allegedly) conflicting signs;
- Risk of injury;
- Due cause.