

Pleas in law and main arguments

Applicant for a Community trade mark: Sofia Golam

Community trade mark concerned: the word mark 'METABIOMAX' for goods in Classes 5, 16 and 30 — Community trade mark application No 8885261

Proprietor of the mark or sign cited in the opposition proceedings: meta Fackler Arzneimittel GmbH

Mark or sign cited in opposition: the German word mark 'meta-biarex' which has been registered under No 857721, for goods in Class 5

Decision of the Opposition Division: opposition upheld in part

Decision of the Board of Appeal: decision of the Opposition Division annulled in part

Pleas in law: infringement of Article 8(1)(b) and Article 8(5) of Council Regulation No 207/2009 of 26 February 2009

— Order OHIM to pay the costs, including those incurred by the applicant before the board of Appeal;

— Order the intervener to pay the costs, including those incurred by the applicant before the board of Appeal.

Pleas in law and main arguments

Applicant for a Community trade mark: The applicant

Community trade mark concerned: The word mark 'United Autoglas' for goods and services in classes 1, 12 and 37 — Community trade mark registration No 6 025 498

Proprietor of the mark or sign cited in the opposition proceedings: The other party to the proceedings before the Board of Appeal

Mark or sign cited in opposition: United Kingdom and Polish trade mark registrations of figurative marks containing the word element 'AUTOGLASS' and the word marks 'AUTOGLASS' for goods and services in classes 12, 21 et 37

Decision of the Opposition Division: Partially upheld the opposition

Decision of the Board of Appeal: Dismissed the appeal

Pleas in law: Infringement of Article 8(1)(b) and (5) of Council Regulation No 207/2009.

Action brought on 29 May 2013 — Junited Autoglas Deutschland/OHIM — Belron Hungary (United Autoglas)

(Case T-297/13)

(2013/C 215/22)

Language in which the application was lodged: English

Parties

Applicant: Junited Autoglas Deutschland (Cologne, Germany) (represented by: C. Weil, lawyer)

Defendant: Office for Harmonisation in the Internal Market (Trade Marks and Designs)

Other party to the proceedings before the Board of Appeal: Belron Hungary Kft — Zug Branch (Zug, Switzerland)

Form of order sought

The applicant claims that the Court should:

— Annul the contested decision;

— Dismiss the opposition filed by the intervener to the application for registration of the Community trademark 'United Autoglas';

Action brought on 3 June 2013 — LemonAid Beverages/OHIM — Pret a Manger (Europe) (Lemonaid)

(Case T-298/13)

(2013/C 215/23)

Language in which the application was lodged: English

Parties

Applicant: LemonAid Beverages GmbH (Hamburg, Germany) (represented by: U. Lüken and J. Natzel, lawyers)

Defendant: Office for Harmonisation in the Internal Market (Trade Marks and Designs)

Other party to the proceedings before the Board of Appeal: Prêt à Manger (Europe) Ltd (London, United Kingdom)