

Action brought on 22 August 2014 — Roland v OHIM (Nuance of the colour red for shoe soles)**(Case T-631/14)**

(2014/C 380/21)

*Language in which the application was lodged: German***Parties***Applicant:* Roland SE (Essen, Germany) (represented by: C. Onken and O. Rauscher)*Defendant:* Office for Harmonisation in the Internal Market (Trade Marks and Designs)*Other party to the proceedings before the Board of Appeal:* Christian Louboutin (Paris, France)**Form of order sought**

The applicant claims that the Court should:

- alter the decision of the First Board of Appeal of the Office for Harmonisation in the Internal Market (Trade Marks and Designs) of 28 May 2014 in Case R 1591/2013-1 to the extent that opposition No B 1 922 890 is fully upheld and Community trade mark application No 008845539 is rejected;
- in the alternative: annul the contested decision;
- order the defendant to pay the costs.

Pleas in law and main arguments*Applicant for a Community trade mark:* Christian Louboutin*Community trade mark concerned:* Other marks, which consist of a nuance of the colour red, which is applied to the sole of a shoe, for goods in Class 25 — Community trade mark application No 8845539*Proprietor of the mark or sign cited in the opposition proceedings:* Roland SE*Mark or sign cited in opposition:* International registration of the figurative mark containing the word element 'my SHOES', for goods in Class 25*Decision of the Opposition Division:* Rejected the opposition*Decision of the Board of Appeal:* Dismissed the appeal*Pleas in law:*

- Infringement of Article 75(2) of Regulation No 207/2009;
- Infringement of Article 8(1)(b) of Regulation No 207/2009.

Action brought on 25 August 2014 — Intercon v Commission**(Case T-632/14)**

(2014/C 380/22)

*Language of the case: Polish***Parties***Applicant:* Intercon Sp. z o.o. (Łódź, Poland) (represented by: B. Eger, lawyer)*Defendant:* European Commission