

**Action brought on 28 September 2015 — Kozmetika Afrodita v OHIM — Núñez Martín and Machado Montesinos (KOZMETIKA AFRODITA)**

**(Case T-574/15)**

(2015/C 406/38)

*Language in which the application was lodged: Slovene*

**Parties**

*Applicant:* Kozmetika Afrodita d.o.o. (Rogaška Slatina, Slovenia) (represented by: B. Grešak, lawyer)

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

*Other parties to the proceedings before the Board of Appeal:* Pedro Nuñez Martín (Madrid, Spain) and Carmen Guillermina Machado Montesinos (Madrid)

**Details of the proceedings before OHIM**

*Applicant for the contested mark:* Applicant

*Trade mark at issue:* Community figurative mark containing the word element 'KOZMETIKA AFRODITA' — Registration No 11 798 253

*Procedure before OHIM:* Opposition proceedings

*Contested decision:* Decision of the Fourth Board of Appeal of OHIM of 28 July 2015 in Case R 2577/2014-4

**Form of order sought**

The applicant claims that the Court should:

- annul the contested decision;
- order OHIM to pay the costs.

**Pleas in law**

- Infringement of Article 8(1)(b) of Regulation No 207/2009;
- Infringement of Rule 50(2)(h) of Regulation No 2868/95.

---

**Action brought on 28 September 2015 — Kozmetika Afrodita v OHIM — Núñez Martín and Machado Montesinos (AFRODITA COSMETICS)**

**(Case T-575/15)**

(2015/C 406/39)

*Language in which the application was lodged: Slovene*

**Parties**

*Applicant:* Kozmetika Afrodita d.o.o. (Rogaška Slatina, Slovenia) (represented by: B. Grešak, lawyer)

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

*Other parties to the proceedings before the Board of Appeal:* Pedro Nuñez Martín (Madrid, Spain) and Carmen Guillermina Machado Montesinos (Madrid, Spain)

### **Details of the proceedings before OHIM**

*Applicant for the contested mark:* Applicant

*Trade mark at issue:* Community figurative mark containing the word element 'AFRODITA COSMETICS' — Registration No 11 798 287

*Procedure before OHIM:* Opposition proceedings

*Contested decision:* Decision of the Fourth Board of Appeal of OHIM of 28 July 2015 in Case R 2578/2014-4.

### **Form of order sought**

The applicant claims that the Court should:

- annul the contested decision;
- order OHIM to pay the costs.

### **Pleas in law**

- Infringement of Article 8(1)(b) of Regulation No 207/2009;
- Infringement of Rule 50(2)(h) of Regulation No 2868/95.

---

**Action brought on 1 October 2015 — Uribe-Etxebarria Jiménez v OHIM — Núcleo de comunicaciones y control (SHERPA)**

**(Case T-577/15)**

**(2015/C 406/40)**

*Language in which the application was lodged:* Spanish

### **Parties**

*Applicant:* Xabier Uribe-Etxebarria Jiménez (Erandio, Spain) (represented by: Esteve Sanz, lawyer)

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

*Other party to the proceedings before the Board of Appeal:* Núcleo de comunicaciones y control, SL (Tres Cantos (Madrid), Spain)

### **Details of the proceedings before OHIM**

*Proprietor of the trade mark at issue:* Applicant

*Trade mark at issue:* Community word mark 'SHERPA'— Community trade mark No 10 000 339