

**Action brought on 18 May 2018 — Serenity Pharmaceuticals v EUIPO — Gebro Holding (NOCUVANT)**

**(Case T-321/18)**

(2018/C 240/70)

*Language in which the application was lodged: English*

**Parties**

*Applicant:* Serenity Pharmaceuticals LLC (Milford, Pennsylvania, United States) (represented by: J. Day, Solicitor)

*Defendant:* European Union Intellectual Property Office (EUIPO)

*Other party to the proceedings before the Board of Appeal:* Gebro Holding GmbH (Fieberbrunn, Austria)

**Details of the proceedings before EUIPO**

*Applicant of the trade mark at issue:* Applicant

*Trade mark at issue:* EU word mark NOCUVANT — Application for registration No 13 053 434

*Procedure before EUIPO:* Opposition proceedings

*Contested decision:* Decision of the Second Board of Appeal of EUIPO of 8 March 2018 in Case R 584/2017-2

**Form of order sought**

The applicant claims that the Court should:

- annul the contested decision;
- annul the decision of the Opposition Division of 27 January 2018 in Opposition No. B 002437922;
- order EUIPO and Gebro Holdings GmbH to bear their own costs and pay those of the Applicant.

**Pleas in law**

- Infringement of Article 47(2) of Regulation No 2017/1001;
- Infringement of Article 8(1)(b) of Regulation No 2017/1001.

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**Action brought on 22 May 2018 — Fomanu v EUIPO — Fujifilm Imaging Germany (Representation of a butterfly)**

**(Case T-323/18)**

(2018/C 240/71)

*Language in which the application was lodged: German*

**Parties**

*Applicant:* Fomanu AG (Neustadt a.d. Waldnaab, Germany) (represented by: S. Reichart, lawyer)

*Defendant:* European Union Intellectual Property Office (EUIPO)

*Other party to the proceedings before the Board of Appeal:* Fujifilm Imaging Germany GmbH & Co. KG (Willich, Germany)