

Procedure before EUIPO: Opposition proceedings

Contested decision: Decision of the Fourth Board of Appeal of EUIPO of 25 March 2019 in Case R 406/2018-4

Form of order sought

The applicant claims that the Court should:

- annul the contested decision;
- reject the opposition filed by Hotel Cipriani s.r.l., or refer the case back to EUIPO in order that it may give a decision in accordance with the judgment;
- order full reimbursement of the costs of the present proceedings, including those of the previous procedural stages before EUIPO, in favour of Arrigo Cipriani.

Pleas in law

- Infringement of Article 8(1)(b) of Regulation (EU) 2017/1001 of the European Parliament and of the Council;
- Infringement of Article 18 of Regulation (EU) 2017/1001 of the European Parliament and of the Council;
- Infringement of Article 47(2) of Regulation (EU) 2017/1001 of the European Parliament and of the Council;
- Infringement of Article 10(3) of Commission Delegated Regulation (EU) 2018/625.

Action brought on 29 May 2019 — ‘Scorify’ v EUIPO — Scor (SCORIFY)

(Case T-328/19)

(2019/C 246/42)

Language of the case: English

Parties

Applicant: ‘Scorify’ UAB (Vilnius, Lithuania) (represented by: V. Viešūnaitė, lawyer)

Defendant: European Union Intellectual Property Office (EUIPO)

Other party to the proceedings before the Board of Appeal: Scor SE (Paris, France)

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 in colours red, white and dark blue SCORIFY — Application for registration No 16 214 521

Procedure before EUIPO: Opposition proceedings

Contested decision: Decision of the Fourth Board of Appeal of EUIPO of 26 March 2019 in Case R 1639/2018-4

Form of order sought

The applicant claims that the Court should:

- carefully consider the applicant's original pleadings and its grounds of action, and alter the Decision of the Board of Appeal of the European Union Intellectual Property Office, stating that the applicant's appeal submitted to the Board of Appeal of the European Union Intellectual Property Office was justified, thus, the opposition had to be rejected;
- order the other party to bear all the costs paid and incurred by the applicant within the meaning of Articles 134, 139, 140, 190 of the Rules of Procedure of the General Court.

Plea in law

- Infringement of Article 8(1)(b) of Regulation (EU) 2017/1001 of the European Parliament and of the Council.

Action brought on 31 May 2019 — 12seasons v EUIPO — Société Immobilière et Mobilière de Montagny (BE EDGY BERLIN)

(Case T-329/19)

(2019/C 246/43)

Language in which the application was lodged: German

Parties

Applicant: 12seasons GmbH (Berlin, Germany) (represented by: M. Gail, lawyer)

Defendant: European Union Intellectual Property Office (EUIPO)

Other party to the proceedings before the Board of Appeal: Société Immobilière et Mobilière de Montagny (Roanne, France)

Details of the proceedings before EUIPO

Applicant of the trade mark at issue: Applicant

Trade mark at issue: EU figurative mark BE EDGY BERLIN — EU trade mark No 15 981 921