

Contested decision: Decision of the Fourth Board of Appeal of EUIPO of 17 January 2022 in Case R 172/2021-4

Form of order sought

The applicant claims that the Court should:

- annul the contested decision, by which the Board of Appeal confirmed that Opposition No B 3 054 342 against figurative mark No 17 838 178 was successful, and remit the case to EUIPO for reconsideration.

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 11 April 2022 — Eggers & Franke v EUIPO — E. & J. Gallo Winery (EF)

(Case T-183/22)

(2022/C 207/73)

Language in which the application was lodged: English

Parties

Applicant: Eggers & Franke Holding GmbH (Bremen, Germany) (represented by: A. Ebert-Weidenfeller and H. Förster, lawyers)

Defendant: European Union Intellectual Property Office (EUIPO)

Other party to the proceedings before the Board of Appeal: E. & J. Gallo Winery (Modesto, California, United States)

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 EF — Application for registration No 17 927 894

Procedure before EUIPO: Opposition proceedings

Contested decision: Decision of the Fifth Board of Appeal of EUIPO of 4 February 2022 in Case R 729/2021-5

Form of order sought

The applicant claims that the Court should:

- annul the contested decision;
- order EUIPO and in case of an intervention also the intervener to pay the costs.

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 12 April 2022 — Eggers & Franke v EUIPO — E. & J. Gallo Winery (E & F)

(Case T-184/22)

(2022/C 207/74)

Language in which the application was lodged: English

Parties

Applicant: Eggers & Franke Holding GmbH (Bremen, Germany) (represented by: A. Ebert-Weidenfeller and H. Förster, lawyers)