



Reports of Cases

Order of the Court (Sixth Chamber) of 30 January 2014 — Fercal v OHIM

(Case C-324/13 P)

(Appeal — Community trade mark — Word mark PATRICIA ROCHA — Opposition by the proprietor of the national word mark ROCHAS — Refusal to register by the Opposition Division of OHIM — Inadmissibility of the action brought before the Board of Appeal of OHIM)

1. *Appeals — Grounds — Mere repetition of the pleas and arguments put forward before the General Court — Inadmissibility — Challenge to the interpretation or application of EU law by the General Court — Admissibility (Art. 256(1), second para., TFEU; Statute of the Court of Justice, Art. 58) (cf. point 39)*
2. *Community trade mark — Appeals procedure — Form of appeal and period within which it must be brought — Pleading setting out the grounds lodged within the period prescribed — Condition of admissibility (Council Regulation No 40/94, Art. 59; Commission Regulation No 2868/95, Art. 1, Rules 62(3) and 70(2) and (4)) (see paras 42-48)*

Re:

Appeal against the judgment of the General Court (Fifth Chamber) of 10 April 2013 in Case T-360/11 *Fercal — Consultadoria e Serviços v OHIM — Parfums Rochas (PATRIZIA ROCHA)* by which the General Court dismissed an action against the decision of the Second Board of Appeal of OHIM of 8 April 2011 (Case R 2355/2010-2), relating to opposition proceedings between Parfums Rochas SAS and Fercal — Consultadoria e Serviços, Lda.

Operative part

1. The appeal is dismissed.
2. Fercal — Consultadoria e Serviços, Lda. is ordered to pay the costs.