

JUDGMENT OF THE COURT OF FIRST INSTANCE

of 8 July 2004

in Case T-270/02: MLP Finanzdienstleistungen AG v Office for Harmonisation in the Internal Market (Trade Marks and Designs) (OHIM) ⁽¹⁾

(Community trade mark — Word mark ‘bestpartner’ — Absolute grounds for refusing registration — Article 7(1)(b) and (c) of Regulation (EC) No 40/94 — Mark devoid of distinctive character — Descriptive mark)

(2004/C 239/40)

(Language of the case: German)

In Case T-270/02: MLP Finanzdienstleistungen AG, established in Heidelberg (Germany), represented by W. Göpfert, lawyer, against Office for Harmonisation in the Internal Market (Trade Marks and Designs) (OHIM) (Agent: G. Schneider) — action brought against the decision of the Third Board of Appeal of OHIM of 26 June 2002 (Case R 206/2002-3) refusing to register the word mark ‘bestpartner’ — the Court of First Instance (Second Chamber), composed of J. Pirrung, President, A.W.H. Meij and N.J. Forwood, Judges; D. Christensen, Administrator, acting for the Registrar, has given a judgment in which it:

1. Dismisses the application;
2. Orders the applicant to pay the costs.

⁽¹⁾ OJ C 274 of 9.11.2002.

JUDGMENT OF THE COURT OF FIRST INSTANCE

of 30 June 2004

in Case T-281/02: Norma Lebensmittelfilialbetrieb GmbH & Co. KG v Office for Harmonisation in the Internal Market (Trade Marks and Designs) (OHIM) ⁽¹⁾

(Community trade mark — Word mark ‘Mehr für Ihr Geld’ — Absolute grounds for refusal — Distinctive character — Article 7(1)(b) of Regulation (EC) No 40/94)

(2004/C 239/41)

(Language of the case: German)

In Case T-281/02: Norma Lebensmittelfilialbetrieb GmbH & Co. KG, established in Nuremberg (Germany), represented by S. Rojahn and S. Freytag, lawyers, against Office for Harmonisation in the Internal Market (Trade Marks and Designs) (OHIM), (Agent: D. Schennen) — action brought against the decision of

the Third Board of Appeal of the Office for Harmonisation in the Internal Market (Trade Marks and Designs) (OHIM) of 3 July 2002 (Case R 239/2002-3) concerning the registration of the word mark ‘Mehr für Ihr Geld’ as a Community trade mark — the Court of First Instance (Fourth Chamber), composed of H. Legal, President, V. Tiili and M. Vilaras, Judges; J. Plingers, Administrator, for the Registrar, has given a judgment on 30 June 2004, in which it:

1. Dismisses the application;
2. Orders the applicant to pay the costs.

⁽¹⁾ OJ C 274 of 9.11.2002.

JUDGMENT OF THE COURT OF FIRST INSTANCE

of 8 July 2004

in Case T-289/02: Telepharmacy Solutions Inc. v Office for Harmonisation in the Internal Market (Trade Marks and Designs) (OHIM) ⁽¹⁾

(Community trade mark — Word mark TELEPHARMACY SOLUTIONS — Absolute grounds for refusal — Article 7(1)(c) of Regulation (EC) No 40/94 — Observance of the rights of defence)

(2004/C 239/42)

(Language of the case: English)

In Case T-289/02: Telepharmacy Solutions Inc., established in North Billerica, Massachusetts (United States), represented by R. Davis, barrister, and M. Medyckyj, solicitor, v Office for Harmonisation in the Internal Market (Trade Marks and Designs) (OHIM) (Agent: S. Bonne) — action brought against the decision of the Fourth Board of Appeal of OHIM of 28 June 2002 (Case R 108/2001-4), concerning registration of the word sign TELEPHARMACY SOLUTIONS as a Community trade mark — the Court of First Instance (Fourth Chamber), composed of: H. Legal, President, V. Tiili and M. Vilaras, Judges; B. Pastor, Deputy Registrar, for the Registrar, has given a judgment on 8 July 2004, in which it:

1. Dismisses the action;
2. Orders the applicant to pay the costs.

⁽¹⁾ OJ C 305 of 7.12.2002.