

— order the OHIM to pay the costs.

### Pleas in law and main arguments

*Community trade mark concerned:* Three dimensional mark in form of a square white tablet showing a blue five petalled floral design for goods in class 3 (washing and bleaching preparations and other substances for laundry use; cleaning, polishing, scouring and abrasive preparations; preparations for the washing, cleaning and care of dishes; soaps) — application No 1 697 432

*Decision of the examiner:* Refusal of the application

*Decision of the Board of Appeal:* Dismissal of the appeal

*Pleas in law:* Violation of Article 7(1)(b) of Council Regulation No 40/94.

*Decision of the examiner:* Refusal of the application

*Decision of the Board of Appeal:* Dismissal of the appeal

*Pleas in law:* Violation of Article 7(1)(b) of Council Regulation No 40/94.

### Action brought on 24 January 2006 — Procter & Gamble v OHIM

(Case T-30/06)

(2006/C 86/69)

*Language of the case:* English

### Parties

*Applicant:* The Procter & Gamble Company (Cincinnati, USA) [represented by: G. Kuipers, lawyer]

*Defendant:* Office for Harmonisation in the Internal Market (Trade Marks and Designs)

### Form of order sought

— Annul the decision of the First Board of Appeal of the OHIM of 21 November 2005 (Case R 1072/2004-1), which was notified to P&G by letter of 5 December 2005, in so far as it finds that the mark does not satisfy the conditions as laid down in Article 7(1)(b) of Regulation No 40/94; and

— order the OHIM to pay the costs.

### Pleas in law and main arguments

*Community trade mark concerned:* Three dimensional mark in form of a square white tablet showing a blue four petalled floral design for goods in class 3 (washing and bleaching preparations and other substances for laundry use; cleaning, polishing, scouring and abrasive preparations; preparations for the washing, cleaning and care of dishes; soaps) — application No 1 683 408

### Action brought on 24 January 2006 — Procter & Gamble v OHIM

(Case T-31/06)

(2006/C 86/70)

*Language of the case:* English

### Parties

*Applicant:* The Procter & Gamble Company (Cincinnati, USA) [represented by: G. Kuipers, lawyer]

*Defendant:* Office for Harmonisation in the Internal Market (Trade Marks and Designs)

### Form of order sought

— Annul the decision of the First Board of Appeal of the OHIM of 16 November 2005 (Case R 1183/2004-1), which was notified to P&G by letter of 23 November 2005, in so far as it finds that the mark does not satisfy the conditions as laid down in Article 7(1)(b) of Regulation No 40/94; and

— order the OHIM to pay the costs.

### Pleas in law and main arguments

*Community trade mark concerned:* Three dimensional mark in form of a square white tablet showing a lilac five petalled floral design for goods in class 3 (washing and bleaching preparations and other substances for laundry use; cleaning, polishing, scouring and abrasive preparations; preparations for the washing, cleaning and care of dishes; soaps) — application No 1 683 457

*Decision of the examiner:* Refusal of the application

*Decision of the Board of Appeal:* Dismissal of the appeal

*Pleas in law:* Violation of Article 7(1)(b) of Council Regulation No 40/94.