

## GENERAL COURT

**Judgment of the General Court of 21 January 2010 —  
Goncharov v OHIM — DSB (DSBW)**(Case T-34/07) <sup>(1)</sup>

*(Community trade mark — Opposition proceedings — Application for the Community word mark DSBW — Earlier Community word mark DSB — Relative ground for refusal — Likelihood of confusion — Article 8(1)(b) of Regulation (EC) No 40/94 (now Article 8(1)(b) of Regulation (EC) No 207/2009))*

(2010/C 63/80)

Language of the case: German

**Parties**

*Applicant:* Karen Goncharov (Moscow, Russia) (represented by: G. Hasselblatt and A. Späth, lawyers)

*Defendant:* Office for Harmonisation in the Internal Market (Trade Marks and Designs) (represented by: initially A. Poch and subsequently B. Schmidt, acting as Agents)

*Other party to the proceedings before the Board of Appeal of OHIM, intervener before the General Court:* DSB (Copenhagen, Denmark) (represented by: F. González Díaz and T. Graf, lawyers)

**Re:**

Action brought against the decision of the Second Board of Appeal of OHIM of 4 December 2006 (Case R 1330/2005-2), relating to opposition proceedings between DSB and Mr K. Goncharov

**Operative part of the judgment**

The Court:

1. Dismisses the action;
2. Orders Mr Karen Goncharov to pay the costs.

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<sup>(1)</sup> OJ C 82, 14.4.2007.

**Judgment of the General Court of 21 January 2010 —  
G-Star Raw Denim v OHIM — ESGW (G Stor)**(Case T-309/08) <sup>(1)</sup>

*(Community trade mark — Opposition proceedings — Application for the Community figurative mark G Stor — Earlier national and Community word and figurative marks G-STAR and G-STAR RAW DENIM — Relative ground for refusal — Absence of similarity between the marks — Article 8(5) of Regulation (EC) No 40/94 (now Article 8(5) of Regulation (EC) No 207/2009))*

(2010/C 63/81)

Language of the case: English

**Parties**

*Applicant:* G-Star Raw Denim kft (Budapest, Hungary) (represented by: G. Vos, lawyer)

*Defendant:* Office for Harmonisation in the Internal Market (Trade Marks and Designs) (represented by: D. Botis and J. Novais Gonçalves, acting as Agents)

*Other party to the proceedings before the Board of Appeal of OHIM:* ESGW Holdings Ltd (Road Town, British Virgin Islands, United Kingdom)

**Re:**

Action brought against the decision of the First Board of Appeal of OHIM of 14 April 2008 (R 1232/2007-1), relating to opposition proceedings between G-Star Raw Denim kft and ESGW Holdings Ltd

**Operative part of the judgment**

The Court:

1. Dismisses the action;
2. Orders G-Star Raw Denim kft to pay the costs.

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<sup>(1)</sup> OJ C 260, 11.10.2008.