

Judgment of the General Court of 18 May 2011 — Glenton España v OHIM — Polo/Lauren (POLO SANTA MARIA)

(Case T-376/09) ⁽¹⁾

(Community trade mark — Opposition proceedings — Application for Community figurative mark POLO SANTA MARIA — Earlier Benelux figurative mark showing the silhouette of a polo player — Relative ground for refusal — Likelihood of confusion — Article 8(1)(b) of Regulation (EC) No 207/2009)

(2011/C 194/20)

Language of the case: English

Parties

Applicant: Glenton España, SA (Madrid, Spain) (represented by: E. Armijo Chávarri and A. Castán Pérez-Gómez, lawyers)

Defendant: Office for Harmonisation in the Internal Market (Trade Marks and Designs) (represented by: D. Botis, Agent)

Other party to the proceedings before the Board of Appeal of OHIM, intervener before the General Court: The Polo/Lauren Company, LP (New York, New York, United States) (represented by: R. Black, R. Guthrie, Solicitors, and S. Malynicz, Barrister)

Re:

ACTION brought against the decision of the Second Board of Appeal of OHIM of 18 June 2009 (Case R 594/2008-2) in relation to opposition proceedings between The Polo/Lauren Company, LP, and Glenton España, SA

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders Glenton España, SA to pay the costs.

⁽¹⁾ OJ C 282, 21.11.2009.

Judgment of the General Court of 19 May 2011 — Tempus Vade v OHIM — Palacios Serrano (AIR FORCE)

(Case T-81/10) ⁽¹⁾

(Community trade mark — Opposition proceedings — Application for Community word mark AIR FORCE — Earlier Community and national word and figurative marks TIME FORCE — Relative grounds for refusal — No likelihood of confusion — No similarity of signs — Article 8(1)(b) and (5) of Regulation (EC) No 207/2009)

(2011/C 194/21)

Language of the case: Spanish

Parties

Applicant: Tempus Vade, SL (San Sebastián de los Reyes, Spain) (represented by: A. Gómez López, lawyer)

Defendant: Office for Harmonisation in the Internal Market (Trade Marks and Designs) (represented by: J. Crespo Carrillo, Agent)

Other party to the proceedings before the Board of Appeal of OHIM, intervener before the Court: Juan Palacios Serrano (Alcobendas, Spain) (represented by: E. Ochoa Santamaría, J. del Valle Sánchez and V. Ruiz de Velasco Martínez de Ercilla, lawyers)

Re:

Action brought against the decision of the Fourth Board of Appeal of OHIM of 7 January 2010 (Case R 1114/208-4) relating to opposition proceedings between Tempus Vade, SL and Mr. Juan Palacios Serrano.

Operative part of the judgment

1. The action is dismissed.
2. Tempus Vade, SL is ordered to pay the costs.

⁽¹⁾ OJ C 100, 17.4.2010.

Action brought on 4 April 2011 — COMPLEX v OHIM — Kajometal (KX)

(Case T-206/11)

(2011/C 194/22)

Language in which the application was lodged: Polish

Parties

Applicant: COMPLEX S.A. (Łódź, Poland) (represented by: R. Rumpel, legal adviser)