

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

Other party to the proceedings before the Board of Appeal: Inceda Holding (Cologne, Germany)

Form of order sought

The applicant claims that the Court should:

- Annul the contested decision of the Fourth Board of Appeal of OHIM of 15 July 2013 in appeal proceedings R 1192/2012-4;
- Order the intervener to pay the costs including those incurred in the course of the appeal proceedings.

Pleas in law and main arguments

Registered Community trade mark in respect of which a declaration of invalidity has been sought: the figurative mark 'watt' for services in Classes 35, 39 and 42 — Community trade mark No 3 820 313

Proprietor of the Community trade mark: the applicant

Applicant for the declaration of invalidity of the Community trade mark: Inceda Holding

Grounds for the application for a declaration of invalidity: Article 52(1)(a) in conjunction with Article 7(1)(b), (c) and (d) of Regulation No 207/2009

Decision of the Cancellation Division: the mark concerned was declared invalid

Decision of the Board of Appeal: the appeal was dismissed

Pleas in law: Infringement of Article 7(1)(b) and (c) of Regulation (EC) No 207/2009

Action brought on 16 September 2013 — Sales & Solutions v OHIM — Inceda Holding (Watt)

(Case T-495/13)

(2013/C 344/112)

Language in which the application was lodged: German

Parties

Applicant: Sales & Solutions (Frankfurt am Main, Germany) (represented by: K. Gründig-Schnelle, lawyer)

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

Other party to the proceedings before the Board of Appeal: Inceda Holding (Cologne, Germany)

Form of order sought

The applicant claims that the Court should:

- Annul the contested decision of the Fourth Board of Appeal of OHIM of 15 July 2013 in appeal proceedings R 1193/2012-4;
- Order the intervener to pay the costs including the costs incurred in the course of the appeal proceedings.

Pleas in law and main arguments

Registered Community trade mark in respect of which a declaration of invalidity has been sought: the word mark 'Watt' for services in Classes 35, 39 and 42 — Community trade mark No 1 090 471

Proprietor of the Community trade mark: the applicant

Applicant for the declaration of invalidity of the Community trade mark: Inceda Holding

Grounds for the application for a declaration of invalidity: Article 52(1)(a) in conjunction with Article 7(1)(b), (c) and (d) of Regulation No 207/2009

Decision of the Cancellation Division: the mark concerned was declared invalid

Decision of the Board of Appeal: the appeal was dismissed

Pleas in law: Infringement of Article 7(1)(b) and (c) of Regulation (EC) No 207/2009

Action brought on 16 September 2013 — McCullough v Cedefop

(Case T-496/13)

(2013/C 344/113)

Language of the case: English

Parties

Applicant: Colin Boyd McCullough (Thessaloniki, Greece) (represented by: G. Matsos, Lawyer)

Defendant: European Centre for the Development of Vocational Training

Form of order sought

The applicant claims that the Court should:

- Annul Cedefop's refusal dated 15 July 2013, to grant to the applicant access to certain documents;
- Order Cedefop to provide to the applicant the requested documents;