

Pleas in law and main arguments

Applicant for a Community trade mark: the applicant

Community trade mark concerned: the figurative mark 'NORTHWOOD' for goods and services in Classes 8, 9, 20, 25 and 35 — Community trade mark application No 9412776

Proprietor of the mark or sign cited in the opposition proceedings: Norwood Promotional Products Europe, SL

Mark or sign cited in opposition: Community word mark 'NORWOOD' for goods in Class 35

Decision of the Opposition Division: the opposition was upheld

Decision of the Board of Appeal: the appeal was dismissed

Pleas in law: Infringement of Article 8(1)(b) of Regulation (EC) No 207/2009

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Action brought on 26 November 2013 — TrekStor v OHIM — MSI Technology (MovieStation)

(Case T-636/13)

(2014/C 39/42)

Language in which the application was lodged: German

Parties

Applicant: TrekStor Ltd (Hong Kong, China) (represented by: O. Spieker, lawyer)

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

Other party to the proceedings before the Board of Appeal: MSI Technology GmbH (Frankfurt am Main, Germany)

Form of order sought

The applicant claims that the Court should:

— Alter the decision of the Fourth Board of Appeal of the Office for Harmonisation in the Internal Market (OHIM) of 27 September 2013 (Case R 1914/2012-4) to the effect that MSI Technology GmbH's application of 20 June 2011 for a declaration of invalidity of the Community trade mark 'MovieStation' is rejected and that MSI Technology GmbH is ordered to pay the costs of that application;

— Order the defendant to pay the costs of the action before the Court.

Pleas in law and main arguments

Registered Community trade mark in respect of which a declaration of invalidity has been sought: the word mark 'MovieStation' for goods in Class 9 — Community trade mark No 5743257

Proprietor of the Community trade mark: the applicant

Applicant for the declaration of invalidity of the Community trade mark: MSI Technology GmbH

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 No 207/2009

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Action brought on 2 December 2013 — Sto v OHIM — Fixit Trockenmörtel Holding (CRETEO)

(Case T-640/13)

(2014/C 39/43)

Language in which the application was lodged: German

Parties

Applicant: Sto AG (Stühlingen, Germany) (represented by: K. Kern and J. Sklepek, lawyers)

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

Other party to the proceedings before the Board of Appeal: Fixit Trockenmörtel Holding AG (Baar, Switzerland)

Form of order sought

The applicant claims that the Court should:

— Alter the decision of the Fourth Board of Appeal of OHIM of 25 September 2013 in Case R 905/2012-4 to the effect that the opposition is upheld to the extent put forward in the appeal and Community trade mark application No 9207085 is rejected;

— Order the defendant to pay the costs.