

Action brought on 13 February 2014 — Harry's New York Bar v OHIM — Harrys Pubar (HARRY'S NEW YORK BAR)

(Case T-97/14)

(2014/C 129/38)

Language in which the application was lodged: English

Parties

Applicant: Harry's New York Bar SA (Paris, France) (represented by: S. Arnaud, lawyer)

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

Other party to the proceedings before the Board of Appeal: Harrys Pubar AB (Gothenburg, Sweden)

Form of order sought

The applicant claims that the Court should:

- Annul the decision of the First Board of Appeal of the Office for Harmonisation in the Internal Market (Trade Marks and Designs) of 14 November 2013 given in Joined Cases R 1038/2012-1 and R 1045/2012-1;
- Order the defendant to pay the costs of proceedings.

Pleas in law and main arguments

Applicant for a Community trade mark: The applicant

Community trade mark concerned: The word mark 'HARRY'S NEW YORK BAR' for goods and services in Classes 25, 30, 32 and 43 — Community trade mark application No 3 383 445

Proprietor of the mark or sign cited in the opposition proceedings: The other party to the proceedings before the Board of Appeal

Mark or sign cited in opposition: Swedish trade mark registrations Nos 356 009, 320 026, 315 142, 55 6513-1066 for goods and services in Classes 25 and 42

Decision of the Opposition Division: Allowed the opposition in part

Decision of the Board of Appeal: Upheld the appeal in part in Case R 1038/2012-1 and dismissed the appeal in Case R 1045/2012-1

Pleas in law: Infringement of Article 8(1)(b) and 4 CTMR.

Action brought on 14 February 2014 — Hellenic Republic v Commission

(Case T-107/14)

(2014/C 129/39)

Language of the case: Greek

Parties

Applicant: Hellenic Republic (represented by: I. Khalkias, E. Leftheriotou, and A. Vasilopoulou)

Defendant: European Commission