

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

Other party to the proceedings before the Board of Appeal: Nutrichem Diät + Pharma GmbH (Roth, Germany)

Form of order sought

The applicant claims that the Court should:

- Annul the decision of the Fourth Board of Appeal of the Office for Harmonisation in the Internal Market (Trade Marks and Designs) of 29 January 2014 in Case R 764/2013-4;
- Annul the decision of the Cancellation Division of 12 April 2013 (filing No: 6333C);
- 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 word mark 'NOxtreme' for goods in Classes 5, 29, 30 and 32 — Community trade mark No 10 177 889

Proprietor of the Community trade mark: the applicant

Applicant for the declaration of invalidity of the Community trade mark: Nutrichem Diät + Pharma GmbH

Grounds for the application for a declaration of invalidity: the national and Community figurative marks, including the word element 'X-TREME', for goods in Classes 5, 29 and 32

Decision of the Cancellation Division: the application for a declaration of invalidity was granted

Decision of the Board of Appeal: the appeal was dismissed

Pleas in law:

- Infringement of Article 57(2) and (3) in conjunction with Article 42(2) and (3) of Regulation No 207/2009;
- Infringement of Article 8(1)(b) of Regulation No 207/2009

Order of the General Court of 14 February 2014 — Alfa-Beta Vassilopoulos v OHIM — Henkel (AB terra Leaf)

(Case T-522/12) ⁽¹⁾

(2014/C 142/69)

Language of the case: English

The President of the First Chamber has ordered that the case be removed from the register.

⁽¹⁾ OJ C 32, 2.2.2013.

Order of the General Court of 10 February 2014 — Jinko Solar and Others v Parliament and Others

(Case T-142/13) ⁽¹⁾

(2014/C 142/70)

Language of the case: English

The President of the Fifth Chamber has ordered that the case be removed from the register.

⁽¹⁾ OJ C 123, 27.4.2013.
