

Re:

Action brought against the decision of the Fourth Board of Appeal of OHIM of 30 January 2012 (Joined Cases R 493/2011-4 and R 548/2011-4), relating to opposition proceedings between Beyond Retro Ltd and S&K Garments, Inc.

Operative part of the judgment

The Court:

- 1) *Annuls the decision of the Fourth Board of Appeal of the Office for Harmonisation in the Internal Market (Trade Marks and Designs) (OHIM) of 30 January 2012 (Joined Cases R 493/2011-4 and R 548/2011-4) in so far as it concerns the goods covered by the word mark BEYOND VINTAGE in Classes 18 and 25 of the Nice Agreement concerning the International Classification of Goods and Services for the Purposes of the Registration of Marks of 15 June 1957, as revised and amended;*
- 2) *Dismisses the action as to the remainder;*
- 3) *Orders Beyond Retro Ltd to pay one third of the costs incurred by the parties before the Court and orders OHIM to pay two thirds of those costs.*

⁽¹⁾ OJ C 194, 30. 6. 2012.

Judgment of the General Court of 8 May 2014 — Simca Europe v OHIM — PSA Peugeot Citroën (Simca)

(Case T-327/12) ⁽¹⁾

(Community trade mark — Invalidity proceedings — Community word mark Simca — Bad faith — Article 52(1)(b) of Regulation (EC) No 207/2009)

(2014/C 194/28)

Language of the case: German

Parties

Applicant: Simca Europe Ltd (Birmingham, United Kingdom) (represented by: N. Haberkamm, lawyer)

Defendant: Office for Harmonisation in the Internal Market (Trade Marks and Designs) (represented by: A. Schifko, acting as Agent)

Other party to the proceedings before the Board of Appeal of OHIM: GIE PSA Peugeot Citroën (Paris, France) (represented by: P. Kotsch, lawyer)

Re:

Action brought against the decision of the First Board of Appeal of OHIM of 12 April 2012 (Case R 645/2011-1), relating to invalidity proceedings between GIE PSA Peugeot Citroën and Simca Europe Ltd.

Operative part of the judgment

The Court:

- 1) *Dismisses the action;*
- 2) *Orders Simca Europe Ltd to pay the costs.*

⁽¹⁾ OJ C 287, 22.9.2012.