

Action brought on 2 June 2014 — salesforce.com v OHIM (MARKETINGCLOUD)**(Case T-387/14)**

(2014/C 261/64)

*Language of the case: English***Parties**

Applicant: salesforce.com, Inc. (San Francisco, United States) (represented by: A. Nordemann, lawyer)

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

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 6 March 2014 given in Case R 1852/2013-1;
- Order the defendant to pay the costs.

Pleas in law and main arguments

Community trade mark concerned: The word mark 'MARKETINGCLOUD' for goods and services in Classes 9, 41 and 45 — Community trade mark application No 10 979 359

Decision of the Examiner: Found the trade mark not eligible for registration

Decision of the Board of Appeal: Dismissed the appeal

Pleas in law: Infringement of Article 7(1)(b) and (c) CTMR.

Action brought on 4 June 2014 — Premo v OHIM — Prema Semiconductor (PREMO)**(Case T-400/14)**

(2014/C 261/65)

*Language in which the application was lodged: English***Parties**

Applicant: Premo, SL (Campanillas, Spain) (represented by: E. Cornu, F. de Visscher and E. De Gryse, lawyers)

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

Other party to the proceedings before the Board of Appeal: Prema Semiconductor GmbH (Mainz, Germany)

Form of order sought

The applicant claims that the Court should:

- Annul the decision of the Fifth Board of Appeal of the Office for Harmonisation in the Internal Market (Trade Marks and Designs) of 1 April 2014 in Case R 1000/2013-5;
- Subsidiarily, annul the contested decision to the extent that it upheld the opposition regarding 'inductors', 'transformers' and 'noise filters';
- Order OHIM, and if appropriate the intervening party, to pay the costs.