

Decision of the Examiner: Found the mark applied for not eligible for registration pursuant to Article 7(1)(b) of the Regulation No 207/2009

Decision of the Board of Appeal: Dismissed the appeal

Pleas in law: Infringement of Article 7(1)(b) of the Regulation No 207/2009

Action brought on 19 May 2014 — Rintisch v OHIM — Compagnie laitière européenne (PROTICURD)

(Case T-382/14)

(2014/C 282/51)

Language in which the application was lodged: English

Parties

Applicant: Bernhard Rintisch (Bottrop, Germany) (represented by: A. Dreyer, lawyer)

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

Other party to the proceedings before the Board of Appeal: Compagnie laitière européenne SA (Conde Sur Vire, France)

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 14 March 2014 given in Case R 609/2011-4;
- Order the defendant to pay the costs of proceedings.

Pleas in law and main arguments

Applicant for a Community trade mark: The other party to the proceedings before the Board of Appeal

Community trade mark concerned: The word mark 'PROTICURD' for goods in Classes 5 and 29 — International Registration No 981 041 designating the European Union

Proprietor of the mark or sign cited in the opposition proceedings: The applicant

Mark or sign cited in opposition: German trademarks Nos 39 702 429, 39 549 559 and 39 608 644

Decision of the Opposition Division: Upheld the opposition in part

Decision of the Board of Appeal: Granted the appeal in part

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

Action brought on 10 June 2014 — Coca-Cola v OHIM (Shape of a bottle)

(Case T-411/14)

(2014/C 282/52)

Language of the case: English

Parties

Applicant: The Coca-Cola Company (Atlanta, United States) (represented by: D. Stone and A. Dykes, Solicitors, and S. Malynicz, Barrister)

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