

Pleas in law and main arguments

Community trade mark concerned: the word mark 'Multiprop' for goods and services in Classes 6, 19 and 37 — Community trade mark application No 11 587 219

Decision of the Examiner: the application was rejected

Decision of the Board of Appeal: the appeal was dismissed

Pleas in law:

- Infringement of Article 7(1)(c) of Regulation No 207/2009;
- Infringement of Article 7(1)(b) of Regulation No 207/2009;
- Infringement of Article 7(2) of Regulation No 207/2009

Action brought on 16 July 2014 — Klass v OHIM — F. Smit (PLAYSEAT) (PLAYSEATS)

(Case T-540/14)

(2014/C 329/32)

Language in which the application was lodged: German

Parties

Applicant: Oliver Klass (Remscheid, Germany) (represented by: U. Bender, lawyer)

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

Other party to the proceedings before the Board of Appeal: F. Smit Holding BV (Doetinchem, Netherlands)

Form of order sought

The applicant claims that the Court should:

- Alter the decisions of the Fourth Board of Appeal of the Office for Harmonisation in the Internal Market (Trade Marks and Designs) of 15 May 2014 in Cases R 1616/2013-4 and R 1834/2013-4 to the effect that both of the applications for a declaration of invalidity of 31 July 2012 are granted;
- Order the defendant and the other party to pay the costs.

Pleas in law and main arguments

Registered Community trade mark in respect of which a declaration of invalidity has been sought: the word marks 'PLAYSEAT' and 'PLAYSEATS' for goods in Class 9 — Community trade marks No 7 595 184 and No 8 842 254

Proprietor of the Community trade mark: F. Smit Holding BV

Applicant for the declaration of invalidity of the Community trade mark: the applicant

Grounds for the application for a declaration of invalidity: the absolute grounds for invalidity in Article 52(1)(a) of Regulation No 207/2009 in conjunction with Article 7(1)(b) and (c) thereof

Decision of the Cancellation Division: the applications for a declaration of invalidity were rejected

Decision of the Board of Appeal: the appeals were dismissed

Pleas in law: Infringement of Article 52(1)(a) of Regulation No 207/2009 in conjunction with Article 7(1)(b) and (c) thereof

Action brought on 23 July 2014 — Volkswagen v OHIM (COMPETITION)

(Case T-550/14)

(2014/C 329/33)

Language of the case: German

Parties

Applicant: Volkswagen AG (Wolfsburg, Germany) (represented by U. Sander, 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 15 May 2014 in Case R 2082/2013-1;
- Order the defendant to pay the costs.

Pleas in law and main arguments

Community trade mark concerned: the word mark 'COMPETITION' for goods and services in Classes 12, 28, 35 and 37 — Community trade mark application No 11 769 171

Decision of the Examiner: the application was rejected

Decision of the Board of Appeal: the appeal was dismissed

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

Order of the General Court of 16 July 2014 — Monty Program v Commission

(Case T-292/10) ⁽¹⁾

(2014/C 329/34)

Language of the case: English

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

⁽¹⁾ OJ C 260, 25.9.2010.

Order of the General Court of 17 July 2014 — Smart Technologies v OHIM (SMART NOTEBOOK)

(Case T-648/11) ⁽¹⁾

(2014/C 329/35)

Language of the case: English

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

⁽¹⁾ OJ C 58, 25.2.2012.
