

Form of order sought

The applicant claims that the Court should:

- annul the decision of the Second Board of Appeal of the Office for Harmonisation in the Internal Market (Trade Marks and Designs) of 5 May 2014 in Case R 2041/2012-2;
- order the defendant to pay the costs of the proceedings.

Pleas in law and main arguments

Applicant for a Community trade mark: Murnauer Markenvertrieb GmbH

Community trade mark concerned: Figurative mark including the word elements 'MURNAUERS Bachblüten' for goods in Classes 3, 5 and 30 — Community trade mark registration No 9 749 847

Proprietor of the mark or sign cited in the opposition proceedings: Bach Flower Remedies Ltd

Mark or sign cited in opposition: National and Community figurative marks including the word element 'Bach', national word mark 'Bach' and the unregistered mark used in the course of business 'BACH' for goods and services in Classes 3, 5, 29, 30, 31, 32, 33, 35, 42 and 44

Decision of the Opposition Division: Upheld the opposition

Decision of the Board of Appeal: Dismissed the appeal

Plea in law: Infringement of Article 8(1)(b) of Regulation No 207/2009.

Action brought on 18 July 2014 — The Cookware Company v OHIM — Fissler (VITA+VERDE)

(Case T-535/14)

(2014/C 351/16)

Language in which the application was lodged: English

Parties

Applicant: The Cookware Company Ltd (Hong Kong, China) (represented by: K. Manhaeve, lawyer)

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

Other party to the proceedings before the Board of Appeal: Fissler GmbH (Idar-Oberstein, Germany)

Form of order sought

The applicant claims that the Court should:

- Annul the decision of the Second Board of Appeal of the Office for Harmonisation in the Internal Market (Trade Marks and Designs) of 15 April 2014 given in Case R 1082/2013-2.

Pleas in law and main arguments

Applicant for a Community trade mark: The applicant

Community trade mark concerned: The figurative mark in colour containing the verbal elements 'VITA+VERDE' for goods in Class 21 — Community trade mark application No 10 073 054

Proprietor of the mark or sign cited in the opposition proceedings: The other party to the proceedings before the Board of Appeal

Mark or sign cited in opposition: The earlier CTM No 1 013 787 for the word 'vitavit'

Decision of the Opposition Division: Rejected the opposition in its entirety

Decision of the Board of Appeal: Annulled the contested decision and upheld the opposition

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

Action brought on 25 July 2014 — Lidl Stiftung v OHIM — Horno del Espinar (Castello)

(Case T-549/14)

(2014/C 351/17)

Language in which the application was lodged: English

Parties

Applicant: Lidl Stiftung & Co. KG (Neckarsulm, Germany) (represented by: M. Wolter, M. Kefferpütz and A. Marx, lawyers)

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

Other party to the proceedings before the Board of Appeal: Horno del Espinar, SL (El Espinar, Spain)

Form of order sought

The applicant claims that the Court should:

- Annul the decision of the Second Board of Appeal of the Office for Harmonisation in the Internal Market (Trade Marks and Designs) of 22 April 2014 given in joined Cases R 1233/2013-2 and R 1258/2013-2;
- Order the defendant to pay the costs of proceedings.

Pleas in law and main arguments

Applicant for a Community trade mark: The applicant

Community trade mark concerned: The word mark 'Castello' for goods in Classes 29, 30 and 31 — Community trade mark application No 6 819 973

Proprietor of the mark or sign cited in the opposition proceedings: The other party to the proceedings before the Board of Appeal

Mark or sign cited in opposition: Numerous earlier Community and national trade marks containing, *inter alia*, the verbal element 'Castelló'

Decision of the Opposition Division: Partially upheld the opposition

Decision of the Board of Appeal: Partially upheld the appeal

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

Action brought on 22 July 2014 — Wm. Wrigley Jr. v OHIM (Extra)

(Case T-552/14)

(2014/C 351/18)

Language of the case: English

Parties

Applicant: Wm. Wrigley Jr. Company (Wilmington, United States) (represented by: M. Kinkeldey, S. Brandstätter and C. Schmitt, lawyers)