

Action brought on 22 September 2014 — Novomatic v OHIM — Simba Toys (African SIMBA)**(Case T-687/14)**

(2014/C 409/75)

*Language in which the application was lodged: German***Parties***Applicant:* Novomatic AG (Gumpoldskirchen, Austria) (represented by: W. Mosing, lawyer)*Defendant:* Office for Harmonisation in the Internal Market (Trade Marks and Designs)*Other party to the proceedings before the Board of Appeal:* Simba Toys GmbH & Co. KG (Fürth, Germany)**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 11 July 2014 in Case R 2098/2013-4 with the consequence that OHIM will have to reject the opposition in its entirety due to lack of similarity between the goods and/or signs or due to lack of a likelihood of confusion and allow Community trade mark application No 009752271 'African SIMBA' to proceed to registration in accordance with the application;
- Order OHIM and, in the case of a written intervention, the opposing party, to bear their own costs and to pay the costs incurred by the applicant in the appeal proceedings before the Office for Harmonisation in the Internal Market (Trade Marks and Designs) and in the present proceedings.

Pleas in law and main arguments*Applicant for a Community trade mark:* the applicant*Community trade mark concerned:* the figurative mark including the word elements 'African SIMBA' for goods in Class 28 — Community trade mark application No 9 752 271*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 national figurative mark including the word element 'SIMBA' and the international registration of the word mark 'SIMBA' for goods in Class 28*Decision of the Opposition Division:* the opposition was upheld*Decision of the Board of Appeal:* the appeal was dismissed*Pleas in law:* Infringement of Article 8(1)(b) and Article 75 of Regulation No 207/2009

Action brought on 22 September 2014 — Puma v OHIM — Sinda Poland (Representation of an imaginary animal)**(Case T-692/14)**

(2014/C 409/76)

*Language in which the application was lodged: English***Parties***Applicant:* Puma SE (Herzogenaurach, Germany) (represented by: P. González-Bueno Catalán de Ocón, lawyer)*Defendant:* Office for Harmonisation in the Internal Market (Trade Marks and Designs)*Other party to the proceedings before the Board of Appeal:* Sinda Poland Corporation Sp. z o.o. (Warsaw, Poland)