

Action brought on 5 November 2014 — Merck v OHIM — Nestlé (HEALTHPRESSO)**(Case T-747/14)**

(2014/C 462/44)

*Language in which the application was lodged: English***Parties***Applicant:* Merck KGaA (Darmstadt, Germany) (represented by: M. Best, U. Pflegar and S. Schäffner, lawyers)*Defendant:* Office for Harmonisation in the Internal Market (Trade Marks and Designs) (OHIM)*Other party to the proceedings before the Board of Appeal:* Société de Produits Nestlé SA (Vevey, Switzerland)**Details of the proceedings before OHIM***Applicant:* Other party to the proceedings before the Board of Appeal*Trade mark at issue:* Community word mark 'HEALTHPRESSO' — Application for registration No 10 003 028*Procedure before OHIM:* Opposition proceedings*Contested decision:* Decision of the First Board of Appeal of OHIM of 7 August 2014 in Case R 1880/2013-1**Form of order sought**

The applicant claims that the Court should:

- Partially annul the contested decision insofar as the Board of Appeal upheld the opposition and rejected the CTM application for the goods in Class 30;
- Reject opposition No B 1 191 607;
- Order OHIM and the other party to the proceedings before the Board of Appeal to pay the costs.

Pleas in law

- Infringement of Article 96(2) of Regulation No 207/2009;
- Infringement of Article 15(1) of Regulation No 207/2009;
- Infringement of Article 8(1)(b) of Regulation No 207/2009.

Order of the General Court of 10 November 2014 — Siegenia-Aubi and Noraa v Commission**(Case T-257/12) ⁽¹⁾**

(2014/C 462/45)

Language of the case: German

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

⁽¹⁾ OJ C 227, 28.7.2012.