

Defendant: Office for Harmonisation in the Internal Market (Trade Marks and Designs) (represented by: A. Schifko, Agent)

Re:

Action brought against the decision of the First Board of Appeal of OHIM of 11 September 2013 (Case R 247/2013-1), concerning an application for registration of a gradient of five shades of the colour green as a Community trade mark.

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders Enercon GmbH to pay the costs.

⁽¹⁾ OJ C 39, 8.2.2014.

Order of the General Court of 29 January 2015 — Zitro IP v OHIM — Gamepoint (SPIN BINGO)

(Case T-665/13) ⁽¹⁾

(Community trade mark — Application for Community figurative mark ‘SPIN BINGO’ — Earlier Community word mark ‘ZITRO SPIN BINGO’ — Relative ground for refusal — Article 8(1)(b) of Regulation (EC) No 207/2009)

(2015/C 089/25)

Language of the case: English

Parties

Applicant: Zitro IP Sàrl (Luxembourg, Luxembourg) (represented by: A. Canela Giménez, lawyer)

Defendant: Office for Harmonisation in the Internal Market (Trade Marks and Designs) (represented by: J. Crespo Carrillo, Agent)

Other party to the proceedings before the Board of Appeal of OHIM: Gamepoint BV (The Hague, Netherlands)

Re:

Action brought against the decision of the Fourth Board of Appeal of OHIM of 14 October 2013 (Case R 1388/2012-4) concerning opposition proceedings between Zitro IP Sàrl and Gamepoint BV.

Operative part of the order

1. Dismisses the action of Zitro IP Sàrl.
2. Orders Zitro IP Sàrl to pay the costs.

⁽¹⁾ OJ C 61, 1.3.2014.