

Defendant: Office for Harmonisation in the Internal Market (Trade Marks and Designs) (represented by: G. Schneider, acting as Agent)

Other party to the proceedings before the Board of Appeal of OHIM, intervener before the General Court: Donaldson Filtration Deutschland GmbH (Haan, Germany) (represented by: N. Siebertz, M. Teworte-Vey and A. Renvert, lawyers)

Re:

Action brought against the decision of the Fourth Board of Appeal of OHIM of 6 May 2013 (Case R 1100/2011-4) concerning invalidity proceedings between Donaldson Filtration Deutschland GmbH and ultra air GmbH.

Operative part of the judgment

The Court:

1. *Annuls the decision of the Fourth Board of Appeal of the Office for Harmonisation in the Internal Market (Trade Marks and Designs) (OHIM) of 6 May 2013 (Case R 1100/2011-4) in so far as it concerns time control systems;*
2. *Dismisses the action as to the remainder;*
3. *Orders ultra air GmbH to bear its own costs and to pay the costs incurred by OHIM and by Donaldson Filtration Deutschland GmbH.*

⁽¹⁾ OJ C 260, 7.9.2013.

Judgment of the General Court of 6 March 2015 — Braun Melsungen v OHIM (SafeSet)

(Case T-513/13) ⁽¹⁾

(Community trade mark — Application for Community word mark SafeSet — Absolute grounds for refusal — Descriptive character — Article 7(1)(c) of Regulation (EC) No 207/2009 — Obligation to state reasons — First sentence of Article 75 of Regulation No 207/2009 — Examination of the facts by the Office of its own motion — Article 76(1) of Regulation No 207/2009)

(2015/C 138/61)

Language of the case: German

Parties

Applicant: B. Braun Melsungen AG (Melsungen, Germany) (represented by: M.-C. Seiler, lawyer)

Defendant: Office for Harmonisation in the Internal Market (Trade Marks and Designs) (represented by: G. Schneider, acting as Agent)

Re:

Action brought against the decision of the First Board of Appeal of OHIM of 27 June 2013 (Case R 1598/2012-1), concerning an application for registration of the word mark SafeSet as a Community trade mark.

Operative part of the judgment

The Court:

1. *Dismisses the action;*
2. *Orders B. Braun Melsungen AG to pay the costs.*

⁽¹⁾ OJ C 336, 16.11.2013.