

*Defendant:* Office for Harmonisation in the Internal Market (Trade Marks and Designs) (represented by: S. Palmero Cabezas, acting as Agent)

*Other party to the proceedings before the Board of Appeal of OHIM, intervener before the General Court:* WRI Nominees Ltd (Luxembourg, Luxembourg) (represented initially by G. Kelly and A. Payne, solicitors, subsequently by A. Payne, J. Llevat Vallespinosa and J.-Y. Teindas Maillard, lawyers)

**Re:**

Action brought against the decision of the Fourth Board of Appeal of OHIM of 26 August 2013 (Case R 966/2012-4) concerning cancellation proceedings between the company WRI Nominees Ltd and Hostel Tourist World, SL.

**Operative part of the judgment**

*The Court:*

1. *Dismisses the action;*
2. *Orders Hostel Tourist World, SL to pay the costs.*

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<sup>(1)</sup> OJ C 31, 1.2.2014.

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**Judgment of the General Court of 30 April 2015 — Steinbeck v OHIM — Alfred Sternjakob (BE HAPPY)**

**(Joined Cases T-707/13 and T-709/13) <sup>(1)</sup>**

**(Community trade mark — Invalidity proceedings — Community word marks BE HAPPY — Absolute ground for refusal — No distinctive character — Article 52(1)(a) and Article 7(1)(b) of Regulation (EC) No 207/2009)**

(2015/C 198/48)

*Language of the case: German*

**Parties**

*Applicant:* Steinbeck GmbH (Fulda, Germany) (represented by: M. Heinrich and M. Fischer, lawyers)

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

*Other party to the proceedings before the Board of Appeal of OHIM, intervener before the General Court:* Alfred Sternjakob GmbH & Co. KG (Frankenthal, Germany) (represented by: S. Henn and S. Tepel, lawyers)

**Re:**

Two actions brought against the decisions of the First Board of Appeal of OHIM of 17 October 2013 (Cases R 31/2013-1 and R 32/2013-1), concerning invalidity proceedings between Alfred Sternjakob GmbH & Co. KG and Steinbeck GmbH.

**Operative part of the judgment**

*The Court:*

1. *Dismisses the actions;*
2. *Orders Steinbeck GmbH to pay the costs.*

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<sup>(1)</sup> OJ C 61, 1.3.2014.