

- 2) Orders the Council of the European Union to bear its own costs and to pay those incurred by Yuanping Changyuan Chemicals Co. Ltd, other than the costs incurred by the latter as a result of the European Commission's intervention;
- 3) Orders the European Commission to bear its own costs and to pay those incurred by Yuanping Changyuan Chemicals Co. Ltd as a result of the European Commission's intervention.

---

<sup>(1)</sup> OJ C 273, 8.9.2012.

---

**Judgment of the General Court of 21 May 2015 — Senz Technologies BV v OHIM — Impliva (Umbrellas)**

(Case T-22/13 and T-23/13) <sup>(1)</sup>

**(Community design — Invalidity proceedings — Registered Community design representing umbrellas — Grounds for invalidity — Disclosure of earlier design — American patent as earlier design — Circles specialised in the sector concerned — Informed user — Degree of attention of an informed user — Fashion accessories — Degree of freedom of the designer — Individual character — Different overall impression — Invalidity proceedings)**

(2015/C 221/10)

Language of the case: English

**Parties**

*Applicant:* Senz Technologies BV (Delft (Netherlands)) (represented initially by: W. Hoyng and C. Zeri, and subsequently by W. Hoyng and I. de Bruijn, lawyers)

*Defendant:* Office for Harmonisation in the Internal Market (Trade Marks and Designs) (represented initially by: F. Mattina, and subsequently by A. Folliard-Monguiral, acting as Agents)

*Other party to the proceedings before the Board of Appeal of OHIM, intervening before the General Court:* Impliva BV (Mijdrecht (Netherlands)) (represented by: C. Gielen and A. Verschuur, lawyers)

**Re:**

Actions brought against two decisions of the Third Board of Appeal of OHIM of 26 September 2012 (Cases R 2453/2010-3 and R 2459/2010-3), in relation to invalidity proceedings between Impliva BV and Senz Technologies BV.

**Operative part of the judgment**

*The Court:*

1. Annuls the decisions of the Third Board of Appeal of the Office for Harmonisation in the Internal Market (Trade Marks and Designs) (OHIM) of 26 September 2012 (Cases R 2453/2010-3 and R 2459/2010-3);
2. Orders Impliva BV to bear its own costs and to pay one third of the costs of Senz Technologies BV;
3. Orders Senz Technologies to bear two thirds of its own costs;
4. Orders OHIM to bear its own costs.

---

<sup>(1)</sup> OJ C 101, 6.4.2013.