

**Operative part of the judgment**

The Court:

- 1) Dismisses the action;
- 2) Orders Mo Industries LLC to pay the costs.

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<sup>(1)</sup> OJ C 212, 7.7.2014.

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**Judgment of the General Court of 21 May 2015 — Wine in Black v OHIM — Quinta do Noval-Vinhos (Wine in Black)**

(Case T-420/14) <sup>(1)</sup>

*(Community trade mark — Opposition proceedings — Application for Community word mark Wine in Black — Earlier Community word mark NOVAL BLACK — Relative ground for refusal — No likelihood of confusion — Similarity of the signs — Article 8(1)(b) of Regulation (EC) No 207/2009)*

(2015/C 221/19)

Language of the case: English

**Parties**

*Applicant:* Wine in Black GmbH (Berlin, Germany) (represented by: A. Bauer and V. Ahmann, lawyers)

*Defendant:* Office for Harmonisation in the Internal Market (Trade Marks and Designs) (represented by: M.L. Vuijst and A. Folliard-Monguiral, Agents)

*Other party to the proceedings before the Board of Appeal of OHIM:* Quinta do Noval-Vinhos, SA (Pinhão, Portugal)

**Re:**

Action brought against the decision of the First Board of Appeal of OHIM of 6 March 2014 (Case R 1601/2013-1), concerning opposition proceedings between Quinta do Noval-Vinhos, SA and Wine in Black GmbH.

**Operative part of the judgment**

The Court:

1. Annuls the decision of the First Board of Appeal of the Office for Harmonisation in the Internal Market (Trade Marks and Designs) (OHIM) of 6 March 2014 (Case R 1601/2013-1);
2. Orders OHIM to pay the costs.

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<sup>(1)</sup> OJ C 303, 8.9.2014.