

*Trade mark at issue:* Community figurative mark containing the word element 'MORTON'S' — Community trade mark registration No 3 951 291

*Procedure before OHIM:* Proceedings for a declaration of invalidity

*Contested decision:* Decision of the First Board of Appeal of OHIM of 12 February 2015 in Case R 46/2014-1

### **Form of order sought**

The applicant claims that the Court should:

- annul the contested decision;
- order the Respondent to pay the Proprietor's costs.

### **Pleas in law**

- Infringement of Article 8(4) of Regulation No 207/2009;
- Infringement of Article 52(1)(b) of Regulation No 207/2009.

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**Action brought on 4 May 2015 — QuaMa Quality Management v OHIM — Microchip Technology (medialbo)**

**(Case T-225/15)**

(2015/C 228/26)

*Language in which the application was lodged: German*

### **Parties**

*Applicant:* QuaMa Quality Management GmbH (Glashütten, Germany) (represented by: C. Russ, lawyer)

*Defendant:* Office for Harmonisation in the Internal Market (Trade Marks and Designs) (OHIM)

*Other party to the proceedings before the Board of Appeal:* Microchip Technology, Inc. (Chandler, United States of America)

### **Details of the proceedings before OHIM**

*Applicant:* Applicant

*Trade mark at issue:* Community word mark 'medialbo' — Application No 11 454 766

*Procedure before OHIM:* Opposition proceedings

*Contested decision:* Decision of the Fourth Board of Appeal of OHIM of 19 February 2015 in Joined Cases R 1809/2014-4 and R 1680/2014-4

### **Form of order sought**

The applicant claims that the Court should:

- annul the contested decision.

**Pleas in law**

- Infringement of Article 41(1) of Regulation No 207/2009;
- Infringement of Article 8(1)(b) of Regulation No 207/2009.

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**Action brought on 15 May 2015 — Łabowicz v. OHIM — Pure Fishing (NANO)****(Case T-237/15)**

(2015/C 228/27)

*Language in which the application was lodged: English***Parties***Applicant:* Edward Łabowicz (Kłodzko, Poland) (represented by: M. Żygadło, lawyer)*Defendant:* Office for Harmonisation in the Internal Market (Trade Marks and Designs) (OHIM)*Other party to the proceedings before the Board of Appeal:* Pure Fishing, Inc. (Spirit Lake, United States)**Details of the proceedings before OHIM***Proprietor of the trade mark at issue:* Applicant*Trade mark at issue:* Community figurative mark containing the word element 'NANO'— Community trade mark No 6 649 818*Procedure before OHIM:* Proceedings for a declaration of invalidity*Contested decision:* Decision of the First Board of Appeal of OHIM of 5 March 2015 in Case R 2426/2013-1**Form of order sought**

The applicant claims that the Court should:

- annul the contested decision;
- order OHIM to pay the costs.

**Pleas in law**

- Misinterpretation and misapplication of Article 7(1)(b) and (c) of Regulation No 207/2009;
  - Infringement of Articles 76 and 83 of Regulation No 207/2009;
  - Breach of Articles 6 and 14 of the European Convention on Human Rights concerning, respectively, the right to a fair trial and the prohibition of discrimination.
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