

- The Board of Appeal erred in not taking into account that the trademark contained an independently registrable element;
- The Board of Appeal erred in not taking into account that the same trademark with a different logo had been registered for essentially the same services and that the new application is merely a modernization;
- The Board of Appeal erred in not making a global assessment.

Action brought on 26 May 2015 — Zhang v OHIM — K & L Ruppert Stiftung (Anna Smith)

(Case T-295/15)

(2015/C 262/45)

Language in which the application was lodged: German

Parties

Applicant: Yongyu Zhang (Manchester, United Kingdom) (represented by: M. Steinert, lawyer)

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

Other party to the proceedings before the Board of Appeal: K & L Ruppert Stiftung & Co. Handels-KG (Weilheim, Germany)

Details of the proceedings before OHIM

Applicant: Yongyu Zhang

Trade mark at issue: Community word mark 'Anna Smith' — Registration No 11 981 446

Procedure before OHIM: Opposition proceedings

Contested decision: Decision of the Fifth Board of Appeal of OHIM of 27 February 2015 in Case R 1559/2014-5

Form of order sought

The applicant claims that the Court should:

- admit, after annulment of the contested decision relating to opposition proceedings No B 2 264 227 on the application for registration No 11 981 446 of 12 July 2013, the word mark Anna Smith as a Community trade mark for Classes 18 and 25, as per the application.

Plea in law

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

Action brought on 5 June 2015 — OASE/OHIM — COMPO France (AlGo)

(Case T-300/15)

(2015/C 262/46)

Language in which the application was lodged: German

Parties

Applicant: OASE GmbH (Hörstel, Germany) (represented by: T. Weeg, lawyer)

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

Other party to the proceedings before the Board of Appeal: COMPO France SAS (Roche-Lez-Beaupré, France)