

**Action brought on 3 August 2015 — Indecopi v OHIM — Synergy Group (PISCO SOUR)****(Case T-447/15)**

(2015/C 320/60)

*Language in which the application was lodged: Spanish***Parties**

*Applicant:* Instituto Nacional de Defensa de la Competencia y de la Protección de la Propiedad Intelectual (Indecopi) (San Borja, Peru) (represented by: M. Pomares Caballero and A. Pomares Caballero, lawyers)

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

*Other party to the proceedings before the Board of Appeal:* Synergy Group sp. z o.o. (Wrocław, Poland)

**Details of the proceedings before OHIM**

*Applicant:* Other party to the proceedings before the Board of Appeal

*Trade mark at issue:* Community figurative mark containing the word element 'PISCO SOUR' — Application for registration No 1016 7682

*Procedure before OHIM:* Opposition proceedings

*Contested decision:* Decision of the Fourth Board of Appeal of OHIM of 3 June 2015 in Case R 1292/2014-4

**Form of order sought**

The applicant claims that the Court should:

- alter the contested decision, by declaring that the requirements for the application of the relative ground for refusal laid down in Article 8(4) of Regulation No 207/2009 are met in the present case; and
- order OHIM to pay its own costs and those of the applicant.

**Pleas in law**

- Infringement of Article 23 of Regulation No 110/2008;
  - Infringement of Article 8(4) of Regulation No 207/2009.
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