

Form of order sought

The applicant claims that the Court should:

- annul the contested decision, insofar as it dismissed the applicant's appeal in respect of identical services;
- order OHIM to pay the costs.

Pleas in law

- Infringement of Article 8(1)(b) of Regulation No 207/2009;
- Infringement of Article 8(5) of Regulation No 207/2009.

Action brought on 17 September 2015 — Regent University v OHIM — Regent's College (REGENT UNIVERSITY)

(Case T-538/15)

(2015/C 371/43)

Language in which the application was lodged: English

Parties

Applicant: Regent University (Virginia Beach, United States) (represented by: D. Wilkinson, Solicitor and E. Himsworth, Barrister)

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

Other party to the proceedings before the Board of Appeal: Regent's College (London, United Kingdom)

Details of the proceedings before OHIM

Proprietor of the trade mark at issue: Applicant

Trade mark at issue: Community word mark 'REGENT UNIVERSITY' — Community trade mark registration No 4 711 594

Procedure before OHIM: Proceedings for a declaration of invalidity

Contested decision: Decision of the Second Board of Appeal of OHIM of 6 July 2015 in Case R 1859/2014-2

Form of order sought

The applicant claims that the Court should:

- annul the contested decision;
- remit the matter for further consideration by the Board;
- order the defendant to pay the costs of the proceedings, including the costs incurred by the applicant before the Board;
- order the cancellation applicant to pay the costs of the proceedings, including the costs incurred by the applicant before the Board, in the event that the cancellation applicant becomes an intervening party in these proceedings.

Plea in law

- Infringements of Article 53(1) in conjunction with Article 8(1)(b) of Regulation No 207/2009.

Action brought on 22 September 2015 — Pi-Design v OHIM — Nestlé (PRESSO)

(Case T-545/15)

(2015/C 371/44)

Language in which the application was lodged: German

Parties

Applicant: Pi-Design AG (Triengen, Switzerland) (represented by: M. Apelt, lawyer)

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

Other party to the proceedings before the Board of Appeal: Société des produits Nestlé SA (Vevey, Switzerland)

Details of the proceedings before OHIM

Proprietor of the trade mark at issue: Applicant

Trade mark at issue: International registration designating the European Union in respect of the mark 'PRESSO' — International registration designating the European Union No 1 093 132

Procedure before OHIM: Opposition proceedings

Contested decision: Decision of the First Board of Appeal of OHIM of 2 July 2015 in Case R 428/2014-1