

Operative part of the judgment

The Court:

1. *Dismisses the action;*
2. *Orders Mr Carsten Bopp to pay the costs.*

⁽¹⁾ OJ C 151, 19.5.2014.

Judgment of the General Court of 24 September 2015 — Klement v OHIM — Bullerjan (Form of an oven)

(Case T-211/14) ⁽¹⁾

(Community trade mark — Revocation proceedings — Three-dimensional Community mark — Form of an oven — Genuine use of a mark — Article 15(1)(a) and Article 51 (1)(a) of Regulation (EC) No 207/2009 — Nature of use of the mark — Form differing in elements which do not alter the distinctive character)

(2015/C 389/52)

Language of the case: German

Parties

Applicant: Toni Klement (Dippoldiswalde, Germany) (represented by: J. Weiser and A. Grohmann, lawyers)

Defendant: Office for Harmonisation in the Internal Market (Trade Marks and Designs) (represented by: A. Poch, D. Botis and A. Schifko, acting as Agents)

Other party to the proceedings before the Board of Appeal of OHIM: Bullerjan GmbH (Isernhagen-Kirchhorst, Germany)

Re:

Action brought against the decision of the First Board of Appeal of OHIM of 9 January 2014 (Case R 927/2013-1), relating to revocation proceedings between Mr Toni Klement and Bullerjan GmbH.

Operative part of the judgment

The Court:

1. *Dismisses the action;*
2. *Orders Mr Toni Klement to pay the costs.*

⁽¹⁾ OJ C 245, 28.7.2014.