Operative part of the judgment

The Court:

1. *Dismisses the action;*

2. *Orders TrekStor Ltd to bear its own costs and to pay those incurred by the Office for Harmonisation in the Internal Market (Trade Marks and Designs) (OHIM);*

3. *Orders MSI Technology GmbH to bear its own costs.*

Judgment of the General Court of 23 October 2015 — Trekstor v OHIM (SmartTV Station)

(Case T-649/13) (¹)

(Community trade mark — Application for Community word mark SmartTV Station — Absolute grounds for refusal — Lack of distinctive character — Descriptive character — Article 7(1)(b) and (c) of Regulation (EC) No 207/2009 — Article 7(3) of Regulation No 207/2009)

Language of the case: German

Parties

Applicant: TrekStor Ltd (Hong Kong, China) (represented by: O. Spieker and M. Alber, lawyers)

Defendant: Office for Harmonisation in the Internal Market (Trade Marks and Designs) (represented by: initially M. Fischer, then G. Schneider and A. Schifko, acting as Agents)

Re:

Action brought against the decision of the Fourth Board of Appeal of OHIM of 1 October 2013 (Case R 128/2013-4), concerning an application for registration of the word sign SmartTV Station as a Community trade mark.

Operative part of the judgment

The Court:

1. *Dismisses the action;*

2. *Orders TrekStor Ltd to bear its own costs and to pay those incurred by the Office for Harmonisation in the Internal Market (Trade Marks and Designs) (OHIM).*

Judgment of the General Court of 23 October 2015 — Vimeo v OHIM — PT Comunicações (VIMEO)

(Case T-96/14) (¹)

(Community trade mark — Opposition proceedings — Application for Community word mark VIMEO — Earlier Community figurative mark meo — Relative ground for refusal — Article 8(1)(b) of Regulation (EC) No 207/2009 — No coexistence of the marks — Likelihood of confusion)

Language of the case: English

Parties

Applicant: Vimeo LLC (New York, New York, United States) (represented by: A. Poulter and M. MacDonald, Solicitors)