

**Judgment of the General Court of 12 November 2015 — Société des produits Nestlé v OHIM —
Terapia (ALETE)**

(Case T-544/14) ⁽¹⁾

**(Community trade mark — Opposition proceedings — Application for Community word mark ALETE —
Earlier national word mark ALETA — Relative ground for refusal — Likelihood of confusion — Article 8
(1)(b) of Regulation (EC) No 207/2009 — Suspension of the administrative proceedings — Rule 20(7)(c)
of Regulation (EC) No 2868/95)**

(2016/C 007/35)

Language of the case: German

Parties

Applicant: Société des produits Nestlé SA (Vevey, Switzerland) (represented by: A. Jaeger-Lenz, A. Lambrecht and S. Cobet-Nüse, lawyers)

Defendant: Office for Harmonisation in the Internal Market (Trade Marks and Designs) (represented by: G. Schneider, Agent)

Other party to the proceedings before the Board of Appeal of OHIM: Terapia SA (Cluj Napoca, Romania)

Re:

Action brought against the decision of the Fourth Board of Appeal of OHIM of 19 May 2014 (Case R 1128/2013-4) concerning opposition proceedings between Terapia SA and Société des produits Nestlé SA.

Operative part of the judgment

The Court:

1. Annuls the decision of the Fourth Board of Appeal of the Office for Harmonisation in the Internal Market (Trade Marks and Designs) (OHIM) of 19 May 2014 (Case R 1128/2013-4);
2. Dismisses the action as to the remainder;
3. Orders OHIM to bear its own costs and to pay the costs incurred by Société des produits Nestlé.

⁽¹⁾ OJ C 339, 29.9.2014.

**Judgment of the General Court of 18 November 2015 — Research Engineering & Manufacturing v
OHIM — Nedschroef Holding (TRILOBULAR)**

(Case T-558/14) ⁽¹⁾

**(Community trade mark — Invalidity proceedings — Community word mark TRILOBULAR — Absolute
ground for refusal — Descriptive character — Article 7(1)(c) of Regulation (EC) No 207/2009 —
Article 52(1)(a) of Regulation No 207/2009)**

(2016/C 007/36)

Language of the case: English

Parties

Applicant: Research Engineering & Manufacturing, Inc. (Middletown, Rhode Island, United States) (represented by: S. Malynicz, G. Hollingworth, Barristers, K. Gilbert and M. Gilbert, Solicitors)