

Defendant: Office for Harmonisation in the Internal Market (Trade Marks and Designs) (represented by: M. Rajh, acting as Agent)

Other party to the proceedings before the Board of Appeal of OHIM: Nedschroef Holding BV (Helmond, Netherlands)

Re:

Action brought against the decision of the Fourth Board of Appeal of OHIM of 12 May 2014 (Case R 442/2013-4), relating to invalidity proceedings between Nedschroef Holding BV and Research Engineering & Manufacturing, Inc.

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders Research Engineering & Manufacturing, Inc., to bear the costs.

⁽¹⁾ OJ C 351, 6.10.2014.

Judgment of the General Court of 18 November 2015 — Instituto dos Vinhos do Douro e do Porto, IP v OHIM — Bruichladdich Distillery (PORT CHARLOTTE)

(Case T-659/14) ⁽¹⁾

(Community trade mark — Invalidity proceedings — Community word mark PORT CHARLOTTE — Earlier designations of origin ‘porto’ and ‘port’ — Grounds for invalidity — Article 52(1)(a), Article 53(1)(c) and (2)(d) of Regulation (EC) No 207/2009 — Article 7(1)(c) and (g) and (2) of Regulation No 207/2009 — Article 8(4) of Regulation No 207/2009 — Article 118m(2) of Regulation (EC) No 491/2009)

(2016/C 007/37)

Language of the case: English

Parties

Applicant: Instituto dos Vinhos do Douro e do Porto, IP (Peso de Régua, Portugal) (represented by: P. Sousa e Silva, lawyer)

Defendant: Office for Harmonisation in the Internal Market (Trade Marks and Designs) (represented by: Ó. Mondéjar Ortuño, acting as Agent)

Other party to the proceedings before the Board of Appeal of OHIM, intervener before the General Court: Bruichladdich Distillery Co. Ltd (Argyll, United Kingdom) (represented by: S. Harvard Duclos, lawyer)

Re:

Action brought against the decision of the Fourth Board of Appeal of OHIM of 8 July 2014 (Case R 946/2013-4) relating to invalidity proceedings between Instituto dos Vinhos do Douro e do Porto, IP and Bruichladdich Distillery Co. Ltd.

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 8 July 2014 (Case R 946/2013-4) relating to invalidity proceedings between Instituto dos Vinhos do Douro e do Porto, IP and Bruichladdich Distillery Co. Ltd;
2. Dismisses the action as to the remainder;
3. Orders OHIM to pay the costs, including those incurred in the proceedings before the Board of Appeal;
4. Orders Bruichladdich Distillery to bear its own costs.

⁽¹⁾ OJ C 388, 3.11.2014.

Judgment of the General Court of 18 November 2015 — Liu v OHIM — DSN Marketing (Case for a portable computer)

(Case T-813/14) ⁽¹⁾

(Community design — Invalidity proceedings — Registered Community design representing a case for a portable computer — Identical earlier designs — Ground for invalidity — Lack of novelty within the meaning of Article 5(1) of Regulation (EC) No 6/2002 — Disclosure of earlier designs prior to the priority date — Article 7(1) and (2) of Regulation No 6/2002)

(2016/C 007/38)

Language of the case: English

Parties

Applicant: Min Liu (Guangzhou, China) (represented initially by R. Bailly, S. Zhang and Y. Zhang, and subsequently by Y. Zhang, lawyers)

Defendant: Office for Harmonisation in the Internal Market (Trade Marks and Designs) (represented by: A. Folliard-Monguiral, acting as Agent)

Other party to the proceedings before the Board of Appeal of OHIM: DSN Marketing Ltd (Crawley, United Kingdom)

Re:

Action brought against the decision of the Third Board of Appeal of OHIM of 7 October 2014 (Case R 1864/2013-3), relating to invalidity proceedings between DSN Marketing Ltd and Mr Min Liu.

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders Mr Min Liu to pay the costs.

⁽¹⁾ OJ C 65, 23.2.2015.