

**Judgment of the General Court of 29 June 2016 — Universal Protein Supplements Corp. v EUIPO — H Young Holdings (animal)**

**(Joined Cases T-727/14 and T-728/14) <sup>(1)</sup>**

**(EU trade mark — Invalidity proceedings — EU figurative marks animal — Unregistered earlier national word mark ANIMAL — Relative ground for refusal — Application of national law by EUIPO — Article 53(1)(c) and Article 8(4) of Regulation (EC) No 207/2009 — Particulars of the right on which the application for a declaration of invalidity is based — Rule 37(b)(ii) of Regulation (EC) No 2868/95)**

(2016/C 287/25)

Language of the case: English

**Parties**

*Applicant:* Universal Protein Supplements Corp. (New Brunswick, New Jersey, United States) (represented by: S. Malynicz, Barrister)

*Defendant:* European Union Intellectual Property Office (represented by: P. Bullock and A. Folliard-Monguiral, acting as Agents)

*Other party to the proceedings before EUIPO, intervener before the General Court:* H Young Holdings plc (Newbury, United Kingdom) (represented by: D. Parrish, Solicitor, and A. Roughton, Barrister)

**Re:**

Action brought against the decisions of the First Board of Appeal of EUIPO of 31 July 2014 (Cases R 2054/2013-1 and R 2058/2013-1), relating to invalidity proceedings between Universal Protein Supplements and H Young Holdings.

**Operative part of the judgment**

*The Court:*

1. Dismisses the applications;
2. Orders Universal Protein Supplements Corp. to pay the costs.

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<sup>(1)</sup> OJ C 431, 1.12.2014.

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**Judgment of the General Court of 28 June 2016 — salesforce.com, Inc. v EUIPO (SOCIAL.COM)**

**(Case T-134/15) <sup>(1)</sup>**

**(European Union trade mark — Application for European Union word mark SOCIAL.COM — Absolute grounds for refusal — Descriptive character — Lack of distinctive character — Article 7(1)(b) and (c) of Regulation (EC) No 207/2009)**

(2016/C 287/26)

Language of the case: English

**Parties**

*Applicant:* salesforce.com, Inc. (San Francisco, California, United States) (represented by: A. Nordemann and M. Maier, lawyers)

*Defendant:* European Union Intellectual Property Office (represented by: M. Fischer, acting as Agent)