

Operative part of the judgment

The Court:

1. Annuls the decision of the First Board of Appeal of the European Union Intellectual Property Office (EUIPO) of 23 June 2015 (Case R 1974/2014-1);
2. Orders that EUIPO shall bear its own costs as well as those incurred by Gruppe Nymphenburg Consult AG.

⁽¹⁾ OJ C 354, 26.10.2015.

Judgment of the General Court of 16 February 2017 — Gruppe Nymphenburg Consult v EUIPO (Limbic® Sales)

(Case T-517/15) ⁽¹⁾

(EU trade mark — Application for the EU word mark Limbic® Sales — Lack of distinctive character — Absolute ground for refusal — Article 7(1)(c) of Regulation (EC) No 207/2009)

(2017/C 104/66)

Language of the case: German

Parties

Applicant: Gruppe Nymphenburg Consult AG (Munich, Germany) (represented by: R. Kunze and G. Würtenberger, lawyers)

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

Re:

Action brought against the decision of the First Board of Appeal of EUIPO of 23 June 2015 (Case R 1972/2014-1), concerning an application for registration of the word sign Limbic® Sales as an EU trade mark.

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⁽¹⁾ OJ C 354, 26.10.2015.

Judgment of the General Court of 16 February 2017 — DMC v EUIPO — Etike' International (De Giusti ORGOGLIO)

(Case T-18/16) ⁽¹⁾

(EU trade mark — Opposition proceedings — Application for EU figurative mark De Giusti ORGOGLIO — Earlier EU word mark ORGOGLIO — Relative ground for refusal — Similarity of the signs — Article 8(1)(b) of Regulation (EC) No 207/2009)

(2017/C 104/67)

Language of the case: Italian

Parties

Applicant: DMC Srl (San Vendemiano, Italy) (represented by: B. Osti, lawyer)