

Defendant: European Union Intellectual Property Office (EUIPO)

Other party to the proceedings before the Board of Appeal: Tpresso SA (Zurich, Switzerland)

Details of the proceedings before EUIPO

Applicant for the trade mark at issue: Applicant

Trade mark at issue: European Union word mark 'teaespresso' — Application for registration No 13 543 475

Procedure before EUIPO: Opposition proceedings

Contested decision: Decision of the Fourth Board of Appeal of EUIPO of 29 November 2016 in Case R 1099/2016-4

Form of order sought

The applicant claims that the Court should:

- alter the contested decision as provided for in Article 65(3) of Regulation No 207/2009 and in any case according to existing rules;
- order, pursuant to Article 134 of the Rules of Procedure of the General Court, EUIPO and the interveners, if any, to pay the costs incurred by Italytrade Srl in the present proceedings;
- order, pursuant to Article 134(1) of the Rules of Procedure of the General Court, EUIPO and the unsuccessful intervener to pay the costs incurred before the Board of Appeal and the Opposition Division.

Pleas in law

- Infringement of Article 8(1)(b) of Regulation No 207/2009;
- Infringement of Article 8(5) of Regulation No 207/2009.

Action brought on 3 February 2017 — Constantin Film Produktion v EUIPO (Fack Ju Göhte)

(Case T-69/17)

(2017/C 104/81)

Language of the case: German

Parties

Applicant: Constantin Film Produktion GmbH (Munich, Germany) (represented by: E. Saarmann and P. Baronikians, lawyers)

Defendant: European Union Intellectual Property Office (EUIPO)

Details of the proceedings before EUIPO

Trade mark at issue: EU word mark 'Fack Ju Göhte' — Application for registration No 13 971 163

Contested decision: Decision of the Fifth Board of Appeal of EUIPO of 1 December 2016 in Case R 2205/2015-5

Form of order sought

The applicant claims that the Court should:

- annul the contested decision;
- annul Decision No 013971163 of the European Union Intellectual Property Office of 25 September 2015;

— order EUIPO to pay the costs of the proceedings.

Pleas in law

- Infringement of Article 7(1)(f) of Regulation No 207/2009;
- Infringement of Article 7(1)(b) of Regulation No 207/2009.

Action brought on 31 January 2017 — TenneT Holding v. EUIPO — Ngrid Intellectual Property (NorthSeaGrid)

(Case T-70/17)

(2017/C 104/82)

Language in which the application was lodged: English

Parties

Applicant: TenneT Holding BV (Arnhem, Netherlands) (represented by: K. Limperg, lawyer)

Defendant: European Union Intellectual Property Office (EUIPO)

Other party to the proceedings before the Board of Appeal: Ngrid Intellectual Property Ltd (London, United Kingdom)

Details of the proceedings before EUIPO

Applicant of the trade mark at issue: Applicant

Trade mark at issue: EU figurative mark containing the word elements 'NorthSeaGrid' — Application for registration No 12 223 517

Procedure before EUIPO: Opposition proceedings

Contested decision: Decision of the Fifth Board of Appeal of EUIPO of 21 November 2016 in Case R 1607/2015-5

Form of order sought

The applicant claims that the Court should:

- annul the contested decision;
- order EUIPO to pay the costs.

Pleas in law

- Infringement of Article 8(1)(b) of Regulation No 207/2009;
- Infringement of Article 8(5) of Regulation No 207/2009.

Action brought on 3 February 2017 — Schmid v EUIPO — Landeskammer für Land- und Forstwirtschaft in Steiermark (Steirisches Kürbiskernöl)

(Case T-72/17)

(2017/C 104/83)

Language in which the application was lodged: German

Parties

Applicant: Gabriele Schmid (Halbenrain, Austria) (represented by: B. Kuchar, lawyer)