

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders Kaane American International Tobacco Company FZE to pay the costs.

⁽¹⁾ OJ C 279, 1.8.2016.

Action brought on 15 April 2017 — Mémora Servicios Funerarios v EUIPO — Chatenoud (MEMORAME)**(Case T-221/17)**

(2017/C 239/59)

Language in which the application was lodged: Spanish

Parties

Applicant: Mémora Servicios Funerarios SLU (Zaragoza, Spain) (represented by: C. Marí Aguilar and J. Gallego Jiménez, lawyers)

Defendant: European Union Intellectual Property Office (EUIPO)

Other party to the proceedings before the Board of Appeal: Georges Chatenoud (Thiviers, France)

Details of the proceedings before EUIPO

Applicant for the trade mark at issue: Other party to the proceedings before the Board of Appeal

Trade mark at issue: European Union word mark 'MEMORAME' – Application for registration No 12 929 071

Procedure before EUIPO: Opposition proceedings

Contested decision: Decision of the Fourth Board of Appeal of EUIPO of 10/02/2017 in Case R 1308/2016-4

Form of order sought

The applicant claims that the Court should:

- annul the decision of EUIPO of 10 February 2017 in Case R 1308/2016-4 which in part granted the application for EU trade mark No 12929071 'MEMORAME' and, consequently, reject in its entirety EU trade mark application No 12929071 'MEMORAME';
- order EUIPO to pay the costs incurred by the applicant in accordance with Article 87(2) and (3) of the Rules [of Procedure of the General Court of 2 May 1991].

Pleas in law

- Infringement of Article 8(1)(b) and (5) of Regulation No 207/2009.
- The applicant submits that the Board of Appeal of EUIPO did not properly take into account the high degree of recognition enjoyed by the earlier mark 'MEMORA' in the European Union.

Action brought on 30 April 2017 — Metrans v Commission and INEA**(Case T-262/17)**

(2017/C 239/60)

Language of the case: English

Parties

Applicant: Metrans a.s. (Prague, Czech Republic) (represented by: A. Schwarz, lawyer)