

2. Orders EDF Toruń S.A. to pay the costs.

⁽¹⁾ OJ C 68, 22.2.2016.

Judgment of the General Court of 18 July 2017 — Alfonso Egüed v EUIPO — Jackson Family Farms (BYRON)

(Case T-45/16) ⁽¹⁾

(EU trade mark — Opposition proceedings — Application for the EU figurative mark BYRON — Earlier non-registered trade mark BYRON — Relative ground for refusal — Article 8(4) of Regulation (EC) No 207/2009 — Rules governing common-law actions for passing-off — Goodwill — Proof of the acquisition and continued existence of the earlier right)

(2017/C 283/55)

Language of the case: English

Parties

Applicant: Nelson Alfonso Egüed (Madrid, Spain) (represented by: N. Fernández Fernández-Pacheco, lawyer)

Defendant: European Union Intellectual Property Office (represented by: J. Ivanauskas, Agent)

Other party to the proceedings before the Board of Appeal of EUIPO: Jackson Family Farms LLC (Santa Rosa, California, United States)

Re:

Action brought against the decision of the Second Board of Appeal of EUIPO of 16 November 2015 (Case R 822/2015-2), relating to opposition proceedings between Jackson Family Farms and Mr Alfonso Egüed.

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders Mr Nelson Alfonso Egüed to pay the costs.

⁽¹⁾ OJ C 111, 29.3.2016.

Judgment of the General Court of 18 July 2017 — Chanel v EUIPO — Jing Zhou and Golden Rose 999 (Ornamentation)

(Case T-57/16) ⁽¹⁾

(Community design — Invalidity proceedings — Registered Community design representing ornamentation — Earlier design — Ground for invalidity — No individual character — Product at issue — Degree of freedom of the designer — No different overall impression — Article 6 and Article 25 (1)(b) of Regulation (EC) No 6/2002)

(2017/C 283/56)

Language of the case: Spanish

Parties

Applicant: Chanel SAS (Neuilly-sur-Seine, France) (represented by: C. Sueiras Villalobos, lawyer)

Defendant: European Union Intellectual Property Office (represented by: E. Zaera Cuadrado, acting as Agent)