

**Judgment of the General Court of 18 September 2017 — Codorníu SA v EUIPO**(Case T-86/16) <sup>(1)</sup>**(EU trade mark — Opposition proceedings — Application for EU figurative mark ANA DE ALTUN — Earlier national figurative mark ANNA — Relative grounds for refusal — Likelihood of confusion — Article 8(1)(b) and (5) of Regulation (EC) No 207/2009 — Obligation to state reasons)**

(2017/C 369/14)

Language of the case: Spanish

**Parties**

*Applicant:* Codorníu SA (Esplugues de Llobregat, Spain) (represented by: M. Ceballos Rodríguez and J. Güell Serra, lawyers)

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

*Other party to the proceedings before the Board of Appeal of EUIPO:* Bodegas Altun, SL (Baños de Ebro, Spain) (represented by: M. Escribano Uzcudun, lawyer)

**Re:**

Action brought against the decision of the Second Board of Appeal of EUIPO of 9 December 2015 (Case R 199/2015-2) relating to opposition proceedings between Codorníu and Bodegas Altun.

**Operative part of the judgment**

*The Court:*

1. Annuls the decision of the Second Board of Appeal of the European Union Intellectual Property Office (EUIPO) of 9 December 2015 (Case R 199/2015-2);
2. Orders EUIPO and Bodegas Altun, SL to bear their own costs and each to pay half of those incurred by Codorníu SA.

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<sup>(1)</sup> OJ C 136, 18.4.2016.

**Judgment of the General Court of 14 September 2017 — Aldi Einkauf v EUIPO — Weetabix (Alpenschmaus)**(Case T-103/16) <sup>(1)</sup>**(EU trade mark — Opposition proceedings — Application for EU figurative mark Alpenschmaus — Earlier EU word mark ALPEN — Relative ground for refusal — Likelihood of confusion — Article 8(1)(b) of Regulation (EC) No 207/2009)**

(2017/C 369/15)

Language of the case: German

**Parties**

*Applicant:* Aldi Einkauf GmbH & Co. OHG (Essen, Germany) (represented by: N. Lützenrath, U. Rademacher, C. Fürsen and N. Bertram, lawyers)

*Defendant:* European Union Intellectual Property Office (represented by: initially E. Strittmatter and A. Folliard-Monguiral, and subsequently A. Schiffko, acting as Agents)

*Other party to the proceedings before the Board of Appeal of EUIPO, intervener before the General Court:* Weetabix Ltd (Kettering, United Kingdom) (represented by: M. Finger and T. Farkas, lawyers)