

Judgment of the Court (Second Chamber) of 20 September 2017 — The Tea Board v European Union Intellectual Property Office (EUIPO), Delta Lingerie

(Joined Cases C-673/15 P to C-676/15 P) ⁽¹⁾

(Appeal — EU trade mark — Regulation (EC) No 207/2009 — Article 8(1)(b) — Word marks and figurative marks including the word element ‘darjeeling’ or ‘darjeeling collection de lingerie’ — Opposition by the proprietor of EU collective marks — Collective marks consisting of the geographical indication ‘Darjeeling’ — Article 66(2) — Essential function — Conflict with applications for registration of individual trade marks — Likelihood of confusion — Definition — Similarity of goods and services — Criteria for assessment — Article 8(5))

(2017/C 382/14)

Language of the cases: English

Parties

Appellant: The Tea Board (represented by: M. Maier and A. Nordemann, Rechtsanwälte)

Other parties to the proceedings: European Union Intellectual Property Office (EUIPO) (represented by: J. Crespo Carrillo, acting as Agent), Delta Lingerie (represented by: G. Marchais and P. Martini-Berthon, avocats)

Operative part of the judgment

The Court:

1. Dismisses the appeals;
2. Orders The Tea Board to pay the costs of the main appeals;
3. Orders Delta Lingerie to pay the costs of the cross-appeal.

⁽¹⁾ OJ C 106, 21.3.2016.

Judgment of the Court (Fourth Chamber) of 14 September 2017 (request for a preliminary ruling from the Rechtbank Den Haag zittingsplaats Haarlem — Netherlands) — K. v Staatssecretaris van Veiligheid en Justitie

(Case C-18/16) ⁽¹⁾

(Reference for a preliminary ruling — Standards for the reception of applicants for international protection — Directive 2013/32/EU — Article 9 — Right to remain in a Member State during the examination of the application — Directive 2013/33/EU — First subparagraph of Article 8(3)(a) and (b) — Detention — Verification of identity or nationality — Determination of the elements on which the application for international protection is based — Validity — Charter of Fundamental Rights of the European Union — Articles 6 and 52 — Restriction — Proportionality)

(2017/C 382/15)

Language of the case: Dutch

Referring court

Rechtbank Den Haag zittingsplaats Haarlem