

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders Mr Graziano Ranocchia to pay the costs.

⁽¹⁾ OJ C 243, 4.7.2016.

Judgment of the General Court of 5 December 2017 — El Corte Inglés v EUIPO — Elho Business & Sport (FRee STyLe)

(Case T-212/16) ⁽¹⁾

(EU trade mark — Invalidity proceedings — EU figurative mark FRee STyLe — Absolute ground for refusal — Article 7(1)(c) of Regulation (EC) No 207/2009 (now Article 7(1)(c) of Regulation (EU) 2017/1001) — Article 76 of Regulation No 207/2009 (now Article 95 of Regulation 2017/1001) — Equal treatment)

(2018/C 104/42)

Language of the case: English

Parties

Applicant: El Corte Inglés, SA (Madrid, Spain) (represented by: J.L. Rivas Zurdo, lawyer)

Defendant: European Union Intellectual Property Office (represented by: S. Bonne, acting as Agent)

Other party to the proceedings before the Board of Appeal of EUIPO, intervener before the General Court: Elho Business & Sport Vertriebs GmbH (Obergriesbach, Germany) (represented by E. Warnke, lawyer)

Re:

Action brought against the decision of the First Board of Appeal of EUIPO of 12 February 2016 (Case R 377/2015-1), relating to invalidity proceedings between Elho Business & Sport and El Corte Inglés.

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders El Corte Inglés, SA, to pay the costs.

⁽¹⁾ OJ C 243, 4.7.2016.

Judgment of the General Court of 5 December 2017 — El Corte Inglés v EUIPO — Elho Business & Sport (FREE STYLE)

(Case T-213/16) ⁽¹⁾

(EU trade mark — Invalidity proceedings — EU word mark FREE STYLE — Absolute ground for refusal — No distinctive character — Article 7(1)(c) of Regulation (EC) No 207/2009 (now Article 7(1)(c) of Regulation (EU) 2017/1001) — Article 76 of Regulation No 207/2009 (now Article 95 of Regulation 2017/1001) — Equal treatment)

(2018/C 104/43)

Language of the case: English

Parties

Applicant: El Corte Inglés, SA (Madrid, Spain) (represented by: J.L. Rivas Zurdo, lawyer)