

Operative part of the judgment

The Court:

- 1) *Dismisses the action;*
- 2) *Orders the European Union Intellectual Property Office (EUIPO) to bear its own costs and to pay the costs incurred by Repower AG and repowermap.org.*

⁽¹⁾ OJ C 462, 12.12.2016.

Judgment of the General Court of 20 February 2018 — Kwang Yang Motor v EUIPO — Schmidt (CK1)

(Case T-45/17) ⁽¹⁾

(EU trade mark — Opposition proceedings — Application for EU word mark CK1 — Earlier EU figurative mark CK — Relative ground for refusal — Likelihood of confusion — Article 8(1)(b) of Regulation (EC) No 207/2009 (now Article 8(1)(b) of Regulation (EU) 2017/1001))

(2018/C 123/24)

Language of the case: English

Parties

Applicant: Kwang Yang Motor Co., Ltd (Kaohsiung, Taiwan) (represented by: A. González Hähnlein and A. Kleinheyer, lawyers)

Defendant: European Union Intellectual Property Office (represented by: J. Crespo Carrillo and D. Walicka, acting as Agents)

Other party to the proceedings before the Board of Appeal of EUIPO, intervener before the General Court: Udo Schmidt (Reken, Germany) (represented by: G. Rother and J. Vogtmeier, lawyers)

Re:

Action brought against the decision of the Second Board of Appeal of EUIPO of 2 November 2016 (Case R 2193/2015-2), relating to opposition proceedings between Mr Schmidt and Kwang Yang Motor.

Operative part of the judgment

The Court:

1. *Dismisses the action;*
2. *Orders Kwang Yang Motor Co., Ltd to pay the costs.*

⁽¹⁾ OJ C 78, 13.3.2017.