

Judgment of the General Court of 13 March 2018 — Kiosked v EUIPO — VRT (K)(Case T-824/16) ⁽¹⁾

(EU trade mark — Opposition proceedings — International registration designating the European Union — Figurative mark K — Earlier Benelux figurative mark K — 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 152/37)

Language of the case: English

Parties

Applicant: Kiosked Oy Ab (Espoo, Finland) (represented by: L. Laaksonen, lawyer)

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

Other party to the proceedings before the Board of Appeal of EUIPO, intervener before the General Court: De Vlaamse Radio- en Televisieomroeporganisatie (VRT) (Brussels, Belgium) (represented by: P.-Y. Thoumsin and E. Van Melkebeke, lawyers)

Re:

Action brought against the decision of the Fourth Board of Appeal of EUIPO of 19 September 2016 (Case R 279/2016-4), relating to opposition proceedings between VRT and Kiosked.

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders Kiosked Oy Ab to bear its own costs and to pay those incurred by the European Union Intellectual Property Office (EUIPO) and by De Vlaamse Radio- en Televisieomroeporganisatie (VRT).

⁽¹⁾ OJ C 22, 23.1.2017.

Judgment of the General Court of 15 March 2018 — La Mafia Franchises v EUIPO — Italy (La Mafia SE SIENTA A LA MESA)(Case T-1/17) ⁽¹⁾

(EU trade mark — Invalidity proceedings — EU figurative mark La Mafia SE SIENTA A LA MESA — Absolute ground for refusal — Whether contrary to public policy or to accepted principles of morality — Article 7(1)(f) of Regulation (EC) No 207/2009 (now Article 7(1)(f) of Regulation (EU) 2017/1001))

(2018/C 152/38)

Language of the case: English

Parties

Applicant: La Mafia Franchises, SL (Zaragoza, Spain) (represented by: I. Sempere Massa, lawyer)

Defendant: European Union Intellectual Property Office (represented by: A. Folliard-Monguiral, acting as Agent)

Other party to the proceedings before the Board of Appeal of EUIPO, intervener before the General Court: Italian Republic (represented by: G. Palmieri, acting as Agent, and by D. Del Gaizo, avvocato dello Stato)