

**Judgment of the General Court of 25 April 2018 — Romantik Hotels & Restaurants v EUIPO — Hotel Preidlhof (ROMANTIK)**

(Case T-213/17) <sup>(1)</sup>

**(EU trade mark — Invalidity proceedings — EU word mark ROMANTIK — Absolute ground for refusal — No distinctive character — No distinctive character acquired through use — Article 7(1)(b) and (3) of Regulation (EC) No 207/2009 (now Article 7(1)(b) and (3) of Regulation (EU) 2017/1001))**

(2018/C 200/51)

Language of the case: German

**Parties**

*Applicant:* Romantik Hotels & Restaurants AG (Frankfurt am Main, Germany) (represented by: A. Hofmann and W. Göpfert, lawyers)

*Defendant:* European Union Intellectual Property Office (represented by: M. Lenz and D. Hanf, acting as Agents)

*Other party to the proceedings before the Board of Appeal of EUIPO, intervener before the General Court:* Hotel Preidlhof GmbH (Naturans, Italy) (represented by: A. Wittwer, lawyer)

**Re:**

Action brought against the decision of the Fourth Board of Appeal of EUIPO of 3 February 2017 (Case R 1257/2016-4), concerning invalidity proceedings between Hotel Preidlhof and Romantik Hotels & Restaurants.

**Operative part of the judgment**

*The Court:*

1. Dismisses the action;
2. Orders Romantik Hotels & Restaurants AG to pay the costs.

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<sup>(1)</sup> OJ C 168, 29.5.2017.

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**Judgment of the General Court of 26 April 2018 — Pfalzmarkt für Obst und Gemüse v EUIPO (100 % Pfalz)**

(Case T-220/17) <sup>(1)</sup>

**(European Union trade mark — Application for EU figurative mark 100 % Pfalz — Absolute ground for refusal — Article 7(1)(c) of Regulation (EC) No 207/2009 (now Article 7(1)(c) of Regulation (EU) 2017/1001) — Obligation to state reasons — Article 75 of Regulation No 207/2009 (now Article 94 of Regulation 2017/1001))**

(2018/C 200/52)

Language of the case: German

**Parties**

*Applicant:* Pfalzmarkt für Obst und Gemüse eG (Mutterstadt, Germany) (represented by: C. Gehweiler and C. Weber, lawyers)

*Defendant:* European Union Intellectual Property Office (represented by: A. Söder and D. Walicka, acting as Agents)