

Judgment of the General Court of 4 May 2018 — Bernard Krone Holding v EUIPO (Mega Liner)(Case T-187/17) ⁽¹⁾

(EU trade mark — Application for EU word mark Mega Liner — Absolute grounds for refusal — Descriptive character — No distinctive character — Article 7(1)(b) and (c) of Regulation (EC) No 207/2009 (now Article 7(1)(b) and (c) of Regulation (EU) 2017/1001) — Obligation to state reasons — Article 75, first sentence, of Regulation No 207/2009 (now Article 94(1) of Regulation 2017/1001))

(2018/C 221/24)

Language of the case: German

Parties

Applicant: Bernard Krone Holding SE & Co. KG (Spelle, Germany) (represented by: T. Weeg and K. Lüken, lawyers)

Defendant: European Union Intellectual Property Office (represented by: M. Fischer and W. Schramek, acting as Agents)

Re:

Action brought against the decision of the First Board of Appeal of EUIPO of 9 January 2017 (Case R 442/2016-1) concerning an application for registration of the word mark Mega Liner as an EU trade mark.

Operative part of the order

The Court:

1. Annuls paragraph 2 of the operative part of the decision of the First Board of Appeal of the European Union Intellectual Property Office (EUIPO) of 9 January 2017 (Case R 442/2016-1);
2. Orders EUIPO to bear its own costs and to pay those incurred by Bernard Krone Holding SE & Co. KG in the proceedings before the General Court.

⁽¹⁾ OJ C 161, 22.5.2017.

Judgment of the General Court of 4 May 2018 — Bernard Krone Holding v EUIPO (Coil Liner)(Case T-188/17) ⁽¹⁾

(EU trade mark — Application for EU word mark Coil Liner — Absolute grounds for refusal — Descriptive character — No distinctive character — Article 7(1)(b) and (c) of Regulation (EC) No 207/2009 (now Article 7(1)(b) and (c) of Regulation (EU) 2017/1001) — Obligation to state reasons — Article 75, first sentence, of Regulation No 207/2009 (now Article 94(1) of Regulation 2017/1001))

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