



C/2024/1265

12.2.2024

**Action brought on 20 December 2023 — Spin Master Toys UK v EUIPO — Verdes Innovations
(Shape of six surfaces arranged in three parallel pairs)**

(Case T-1173/23)

(C/2024/1265)

Language in which the application was lodged: English

Parties

Applicant: Spin Master Toys UK Ltd (Marlow, United Kingdom) (represented by: V. von Bomhard and A. Malkmes, lawyers)

Defendant: European Union Intellectual Property Office

Other party to the proceedings before the Board of Appeal: Verdes Innovations SA (Corinth, Greece)

Details of the proceedings before EUIPO

Proprietor of the trade mark at issue: Applicant before the General Court

Trade mark at issue: European Union tridimensional mark (Shape of six surfaces arranged in three parallel pairs) — European Union trade mark No 9 976 788

Procedure before EUIPO: Cancellation proceedings

Contested decision: Decision of the First Board of Appeal of EUIPO of 20 October 2023 in Case R 851/2022-1

Form of order sought

The applicant claims that the Court should:

- annul the contested decision;
- order EUIPO and the other party to the proceedings before the Board of Appeal, in case it intervenes, to bear the costs of the proceedings.

Plea in law

- Infringement of Article 7(1)(e)(ii) of Council Regulation (EC) No 40/94.