



C/2024/2625

22.4.2024

**Order of the General Court of 19 February 2024 – Eckes-Granini Group and International Beer Breweries v EUIPO – Capri Sun (PRISUN)**

**(Case T-395/23) (¹)**

**(EU trade mark – Opposition proceedings – Withdrawal of the opposition – No need to adjudicate)**

(C/2024/2625)

*Language of the case: German*

**Parties**

*Applicants:* Eckes-Granini Group GmbH (Nieder-Olm, Germany), International Beer Breweries Ltd (Ashkelon, Israel) (represented by: J. Wachsmuth, lawyer)

*Defendant:* European Union Intellectual Property Office (represented by: A. Ringelhann, acting as Agent)

*Other party to the proceedings before the Board of Appeal of EUIPO, intervener before the General Court:* Capri Sun AG (Zug, Switzerland) (represented by: A. Franke and S. Frese, lawyers)

**Re:**

By their action under Article 263 TFEU, the applicants seek the annulment of the decision of the Second Board of Appeal of the European Union Intellectual Property Office (EUIPO) of 26 April 2023 (Case R 1057/2022-2).

**Operative part of the order**

1. There is no longer any need to adjudicate on the action.
2. Eckes-Granini Group GmbH and International Beer Breweries Ltd shall bear their own costs and pay half of the costs incurred by the European Union Intellectual Property Office (EUIPO).
3. Capri Sun AG shall bear its own costs and pay half of the costs incurred by EUIPO.

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<sup>(¹)</sup> OJ C 304, 28.8.2023.