



C/2024/2642

22.4.2024

Action brought on 1 March 2024 – Ty v EUIPO – Carletto Management & Logistik (Glubschi)

(Case T-135/24)

(C/2024/2642)

Language in which the application was lodged: German

Parties

Applicant: Ty, Inc. (Westmont, Illinois, United States) (represented by: V. von Bomhard, J. Fuhrmann and A. Malkmes, lawyers)

Defendant: European Union Intellectual Property Office

Other party to the proceedings before the Board of Appeal: Carletto Management & Logistik AG (Wollerau, Switzerland)

Details of the proceedings before EUIPO

Proprietor of the trade mark at issue: Other party to the proceedings before the Board of Appeal

Trade mark at issue: EU word mark Glubschi – EU trade mark No 11 756 161

Proceedings before EUIPO: Cancellation proceedings

Contested decision: Decision of the Second Board of Appeal of EUIPO of 13 December 2023 in Case R 1918/2022-2

Form of order sought

The applicant claims that the Court should:

- annul the contested decision;
- order EUIPO and, in the event that the intervener intervenes in the proceedings, order that party to pay the costs.

Plea in law

- Infringement of Article 59(1)(b) of Regulation (EU) 2017/1001 of the European Parliament and of the Council.
