



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.