



C/2024/4608

29.7.2024

Action brought on 14 June 2024 – sprd.net v EUIPO (Position of a capital letter ‘T’ and a heart on an item of clothing)

(Case T-306/24)

(C/2024/4608)

Language of the case: German

Parties

Applicant: sprd.net AG (Leipzig, Germany) (represented by: J. Hellenbrand, lawyer)

Defendant: European Union Intellectual Property Office

Details of the proceedings before EUIPO

Trade mark at issue: Application for an EU position mark comprising a capital letter ‘T’ and a heart on an item of clothing – Application for registration No 18 705 046

Contested decision: Decision of the First Board of Appeal of EUIPO of 15 April 2024 in Case R 1775/2023-1

Form of order sought

The applicant claims that the Court should:

- annul the contested decision;
- order EUIPO to pay the costs.

Pleas in law

- Infringement of Article 7(1)(b) of Regulation (EU) 2017/1001 of the European Parliament and of the Council;
- Infringement of Article 95(1) of Regulation (EU) 2017/1001 of the European Parliament and of the Council;
- Infringement of Article 94(1) of Regulation (EU) 2017/1001 of the European Parliament and of the Council;
- Infringement of the principle of non-arbitrariness.