



C/2024/5234

2.9.2024

Judgment of the General Court of 17 July 2024 – W.B. Studio v EUIPO – E.Land Italy

(BF BELFE)

(Case T-54/23) ⁽¹⁾

(EU trade mark – Revocation proceedings – EU figurative mark BF BELFE – Genuine use of the mark – Partial revocation – Article 18(1), second subparagraph, point (b), and Article 58(1)(a) of Regulation (EU) 2017/1001 – Affixing of the trade mark to goods or to the packaging thereof in the European Union solely for export purposes – Proof of genuine use – No purely internal use – Article 19 of Delegated Regulation (EU) 2018/625)

(C/2024/5234)

Language of the case: English

Parties

Applicant: W.B. Studio Sas di Wivian Bodini & C. (Milan, Italy) (represented by: V. Piccarreta, G. Romanelli and A. Mocchi, lawyers)

Defendant: European Union Intellectual Property Office (represented by: R. Raponi, acting as Agent)

Other party to the proceedings before the Board of Appeal of EUIPO, intervener before the General Court: E.Land Italy Srl (Milan) (represented by: M. Francetti and M. Cristofori, lawyers)

Re:

By its action under Article 263 TFEU, the applicant seeks the annulment of the decision of the First Board of Appeal of the European Union Intellectual Property Office (EUIPO) of 30 November 2022 (Case R 870/2021-1).

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders W.B. Studio Sas di Wivian Bodini & C. to pay the costs.

⁽¹⁾ OJ C 104, 20.3.2023.