



C/2024/6114

21.10.2024

Action brought on 11 September 2024 – Villafrut v EUIPO – Venture Fruit Global (JOLi)

(Case T-473/24)

(C/2024/6114)

Language in which the application was lodged: English

Parties

Applicant: Villafrut Srl (Oppeano, Italy) (represented by: A. Rizzoli, lawyer)

Defendant: European Union Intellectual Property Office

Other party to the proceedings before the Board of Appeal: Venture Fruit Global Ltd (Auckland, New Zealand)

Details of the proceedings before EUIPO

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

Trade mark at issue: Application for European Union figurative mark JOLi – Application for registration No 18 519 664

Procedure before EUIPO: Opposition proceedings

Contested decision: Decision of the Fifth Board of Appeal of EUIPO of 23 July 2024 in Case R 2468/2023-5

Form of order sought

The applicant claims that the Court should:

- annul the contested decision;
- uphold the opposition No B 3 158 380 filed against all the goods of European Union trademark application No 18 519 664 for all the contested goods and reject European Union trademark application No 18 519 664 in its entirety;
- order EUIPO and the other party to the proceedings to pay the costs incurred by the Applicant in the present and previous proceedings.

Plea in law

Infringement of Article 8(1)(b) of Regulation (EU) 2017/1001 of the European Parliament and of the Council.