



**Action brought on 18 September 2024 – Savencia v EUIPO – Hofmeister (Shape of a cheese)**

**(Case T-481/24)**

**(C/2024/6447)**

*Language in which the application was lodged: German*

**Parties**

*Applicant:* Savencia SA (Viroflay, France) (represented by: G. Brox, F. Hagemann and A. Berger, lawyers)

*Defendant:* European Union Intellectual Property Office (EUIPO)

*Other party to the proceedings before the Board of Appeal:* Hofmeister Vermögensverwaltungs GmbH & Co. KG (Lauben, Germany)

**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:* International registration designating the three-dimensional EU trade mark (Shape of a cheese) – International registration designating the European Union No 1 424 666

*Proceedings before EUIPO:* Opposition proceedings

*Contested decision:* Decision of the Fifth Board of Appeal of EUIPO of 8 July 2024 in Cases R 1920/2022-5 and R 1941/2022-5

**Form of order sought**

The applicant claims that the Court should:

- annul the contested decision or amend it as follows :
  - dismiss appeal R 1920/2022-5;
  - in addition, dismiss appeal R 1941/2022-5 and the cross-appeal under file number R 1920/2022-5 of the international registration No 1 424 666 in the European Union in relation to protection for the goods 'edible oils and fats';
- order EUIPO to pay the costs;
- order the intervener to pay the costs of the proceedings before EUIPO.

**Pleas in law**

- Infringement of Article 71 of Regulation (EU) 2017/1001 of the European Parliament and of the Council;
- Infringement of the second sentence of Article 94(1) of Regulation (EU) 2017/1001 of the European Parliament and of the Council;
- Infringement of Articles 95 and 97 of Regulation (EU) 2017/1001 of the European Parliament and of the Council;
- Infringement of the first sentence of Article 27(2) of Commission Delegated Regulation (EU) 2018/625;
- Infringement of Article 8(1)(b) of Regulation (EU) 2017/1001 of the European Parliament and of the Council.