



C/2024/6450

4.11.2024

**Action brought on 26 September 2024 – Telefónica Germany v EUIPO (LOOP)**

**(Case T-497/24)**

(C/2024/6450)

*Language of the case: German*

**Parties**

*Applicant:* Telefónica Germany GmbH & Co. OHG (Munich, Germany) (represented by: A. Fottner and M. Müller, lawyers)

*Defendant:* European Union Intellectual Property Office

**Details of the proceedings before EUIPO**

*Trade mark at issue:* Application for the EU word mark LOOP – Application No 18 008 477

*Contested decision:* Decision of the Fifth Board of Appeal of EUIPO of 30 July 2024 in Case R 2469/2023-5

**Form of order sought**

The applicant claims that the Court should:

- annul the contested decision in so far as it refuses EU trade mark application No 18 008 477 ‘LOOP’ in respect of Classes 9, 38 and 42, and vary that decision by clarifying that there are no grounds for refusal within the meaning of Article 7(1)(b) and (c) of Regulation (EU) 2017/1001 of the European Parliament and of the Council precluding the abovementioned application in relation to the goods and services at issue;
- order EUIPO to pay the costs, including those incurred during the appeal and examination procedures.

**Pleas in law**

- Infringement of Article 72(6) of Regulation (EU) 2017/1001 of the European Parliament and of the Council;
- Infringement of Article 7(1)(c) of Regulation (EU) 2017/1001 of the European Parliament and of the Council;
- Infringement of Article 7(1)(b) 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.