



C/2024/730

22.1.2024

Judgment of the General Court of 15 November 2023 — International Foodstuffs v EUIPO — Société des produits Nestlé (TIFFANY CRUNCH N CREAM)

(Case T-321/22) ⁽¹⁾

(EU trade mark — Opposition proceedings — Application for EU word mark TIFFANY CRUNCH N CREAM — International registration of the earlier figurative mark CRUNCH — Relative ground for refusal — Likelihood of confusion — Article 8(1)(b) of Regulation (EU) 2017/1001)

(C/2024/730)

Language of the case: English

Parties

Applicant: International Foodstuffs Co. LLC (Sharjah, United Arab Emirates) (represented by: J. Blum, lawyer)

Defendant: European Union Intellectual Property Office (represented by: J. Hamel, M. Eberl and V. Ruzek, acting as Agents)

Other party to the proceedings before the Board of Appeal of EUIPO, intervener before the General Court: Société des produits Nestlé SA (Vevey, Switzerland) (represented by: A. Jaeger-Lenz, C. Elkemann and J. Thomsen, lawyers)

Re:

By its action under Article 263 TFEU, the applicant seeks the annulment of the decision of the Second Board of Appeal of the European Union Intellectual Property Office (EUIPO) of 21 March 2022 (Case R 2136/2020-2).

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders International Foodstuffs Co. LLC to pay the costs.

⁽¹⁾ OJ C 276, 18.7.2022.