



C/2024/955

29.1.2024

Judgment of the General Court of 29 November 2023 — TVR Automotive v EUIPO — TVR Italia (TVR)

(Case T-53/23) ⁽¹⁾

(EU trade mark — Opposition proceedings — Application for the EU figurative mark TVR — Earlier EU figurative mark TVR ITALIA — Relative ground for refusal — Likelihood of confusion — Article 8(1)(b) of Regulation (EC) No 207/2009 — Right to fair legal process — Legitimate expectations)

(C/2024/955)

Language of the case: English

Parties

Applicant: TVR Automotive Ltd (Walliswood, United Kingdom) (represented by: A. von Mühlendahl and H. Hartwig, lawyers)

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

Other party to the proceedings before the Board of Appeal of EUIPO: TVR Italia Srl (Milan, Italy)

Re:

By its action under Article 263 TFEU, the applicant seeks the annulment of the decision of the Fifth Board of Appeal of the European Union Intellectual Property Office (EUIPO) of 24 October 2022 (Case R 1493/2018-5).

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders TVR Automotive Ltd and the European Union Intellectual Property Office (EUIPO) to bear their own costs.

⁽¹⁾ OJ C 112, 27.3.2023.