



C/2025/2381

28.4.2025

**Judgment of the General Court of 12 March 2025 – deluxe holding v EUIPO – Piffany Copenhagen  
(Electric candles)**

**(Case T-1158/23) <sup>(1)</sup>**

***(Community design – Invalidity proceedings – Registered Community design representing electric candles – Ground for invalidity – Lack of individual character – Degree of freedom of the designer – No different overall impression – Articles 4 and 6 and Article 25(1)(b) of Regulation (EC) No 6/2002 – Rights of the defence – Scope of the examination carried out by the Board of Appeal)***

(C/2025/2381)

Language of the case: English

**Parties**

*Applicant:* deluxe holding ApS (Kolding, Denmark) (represented by: J. Løje, lawyer)

*Defendant:* European Union Intellectual Property Office (represented by: M. Eberl, acting as Agent)

*Other party to the proceedings before the Board of Appeal of EUIPO, intervener before the General Court:* Piffany Copenhagen ApS (Helsingør, Denmark) (represented by: J. Petersen, lawyer)

**Re:**

By its action under Article 263 TFEU, the applicant seeks annulment of the decision of the Third Board of Appeal of the European Union Intellectual Property Office (EUIPO) of 9 October 2023 (Case R 810/2022-3).

**Operative part of the judgment**

The Court:

1. Dismisses the action;
2. Orders deluxe holding ApS to bear its own costs and to pay those incurred by the European Union Intellectual Property Office (EUIPO) and Piffany Copenhagen ApS.

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<sup>(1)</sup> OJ C C/2024/1108, 5.2.2024.