



C/2026/2035

13.4.2026

Judgment of the General Court of 11 February 2026 – Nutris We care about you v EUIPO – Medis (ProbioDefend)

(Case T-209/25) ⁽¹⁾

(EU trade mark – Opposition proceedings – Application for the EU figurative mark ProbioDefend – Earlier EU word mark Defendyl – Relative ground for refusal – Likelihood of confusion – Article 8(1)(b) of Regulation (EU) 2017/1001)

(C/2026/2035)

Language of the case: English

Parties

Applicant: Nutris We care about you, SL (Pinto, Spain) (represented by: Á. González López-Mencheró, V. Valero Piña and D. Armario Poyato, lawyers)

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

Other party to the proceedings before the Board of Appeal of EUIPO, intervener before the General Court: Medis, farmacevtska družba, d.o.o. (Ljubljana, Slovenia) (represented by: N. Zečević, lawyer)

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 29 January 2025 (Case R 1365/2024-5).

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders Nutris We care about you, SL to bear, in addition to its own costs, those incurred by Medis, farmacevtska družba, d.o.o.;
3. Orders the European Union Intellectual Property Office (EUIPO) to bear its own costs.

⁽¹⁾ OJ C, C/2025/2695, 19.5.2025.