

Judgment of the General Court of 6 February 2013 — Maharishi Foundation v OHIM (MÉDITATION TRANSCENDANTALE)

(Case T-426/11) ⁽¹⁾

(Community trade mark — Application for Community word mark MÉDITATION TRANSCENDANTALE — Absolute grounds for refusal — Decision of the Board of Appeal remitting the case to the Examination Division — Article 65(4) of Regulation (EC) No 207/2009 — Admissibility — Descriptive character — Article 7(1)(c) of Regulation No 207/2009 — Relevant public)

(2013/C 79/30)

Language of the case: English

Parties

Applicant: Maharishi Foundation Ltd (Saint-Hélier, Jersey) (represented by: A. Meijboom, lawyer)

Defendant: Office for Harmonisation in the Internal Market (Trade Marks and Designs) (represented by: A. Folliard-Monguiral, Agent)

Re:

Action brought against the decision of the Second Board of Appeal of OHIM of 6 April 2011 (Case R 1294/2010-2), concerning an application for registration of the word sign MÉDITATION TRANSCENDANTALE as a Community trade mark

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders Maharishi Foundation Ltd to pay the costs.

⁽¹⁾ OJ C 282, 24.9.2011.

Judgment of the General Court of 4 February 2013 — Hartmann v OHIM — Protecson (DIGNITUDE)

(Case T-504/11) ⁽¹⁾

(Community trade mark — Opposition proceedings — Application for Community word mark DIGNITUDE — Earlier national and Community word marks Dignity — Relative ground for refusal — No likelihood of confusion — No similarity between the goods — Article 8(1)(b) of Regulation (EC) No 207/2009)

(2013/C 79/31)

Language of the case: English

Parties

Applicant: Paul Hartmann AG (Heidenheim, Germany) (represented by: N. Aicher, lawyer)

Defendant: Office for Harmonisation in the Internal Market (Trade Marks and Designs) (represented by: J. Crespo Carrillo, acting as Agent)

Other party to the proceedings before the Board of Appeal of OHIM: Protecson SAS (Valognes, France)

Re:

Action brought against the decision of the Fourth Chamber of Appeal of OHIM of 28 July 2011 (Case R 1197/2010-4), relating to opposition proceedings between Paul Hartmann AG and Protecson SAS.

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders Paul Hartmann AG to pay the costs.

⁽¹⁾ OJ C 340, 19.11.2011.