

Other party to the proceedings before the Board of Appeal of OHIM: Asteris Industrial and Commercial Company SA (Athens, Greece)

Re:

Action brought against the decision of the Second Board of Appeal of OHIM of 20 May 2011 (Case R 1358/2008-2), concerning invalidity proceedings between Asteris Industrial and Commercial Company SA and Luna International Ltd.

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders Luna International Ltd to pay the costs.

(¹) OJ C 319, 29.10.2011.

Judgment of the General Court of 18 April 2013 — Peek & Cloppenburg v OHIM — Peek & Cloppenburg (Peek & Cloppenburg)

(Case T-506/11) (¹)

(Community trade mark — Opposition proceedings — Application for Community word mark Peek & Cloppenburg — Earlier national commercial name Peek & Cloppenburg — Relative ground for refusal — Likelihood of confusion — Article 8(4) of Regulation (EC) No 207/2009)

(2013/C 156/75)

Language of the case: German

Parties

Applicant: Peek & Cloppenburg KG (Düsseldorf, Germany) (represented by: initially S. Abrar, then P. Lange, lawyers)

Defendant: Office for Harmonisation in the Internal Market (Trade Marks and Designs) (represented by: G. Schneider, Agent)

Other party to the proceedings before the Board of Appeal of OHIM: Peek & Cloppenburg (Hamburg, Germany) (represented by: A. Renck, V. von Bomhard, T. Heitmann, M. Petersenn, lawyers, and I. Fowler, solicitor)

Re:

Action brought against the decision of the First Board of Appeal of OHIM of 28 February 2011 (Case R 262/2005-1), relating to opposition proceedings between Peek & Cloppenburg and Peek & Cloppenburg KG.

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders Peek & Cloppenburg KG to pay the costs.

(¹) OJ C 362, 10.12.2011.

Judgment of the General Court of 18 April 2013 — Peek & Cloppenburg v OHIM — Peek & Cloppenburg (Peek & Cloppenburg)

(Case T-507/11) (¹)

(Community trade mark — Opposition proceedings — Application for Community word mark Peek & Cloppenburg — Earlier national commercial name Peek & Cloppenburg — Relative ground for refusal — Likelihood of confusion — Article 8(4) of Regulation (EC) No 207/2009)

(2013/C 156/76)

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Operative part of the judgment

The Court:

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(¹) OJ C 362, 10.12.2011.