



Reports of Cases

Judgment of the General Court (Sixth Chamber) of 29 March 2012 — Kaltenbach & Voigt v OHIM (3D eXam)

(Case T-242/11)

(Community trade mark — International registration — Request for territorial extension of protection — Figurative mark 3D eXam — Absolute grounds for refusal — Descriptive character and lack of distinctive character — Article 7(1)(b) and (c) of Regulation (EC) No 207/2009)

Community trade mark — Definition and acquisition of the Community trade mark — Absolute grounds for refusal — Marks composed exclusively of signs or indications which may serve to designate the characteristics of goods (Council Regulation No 207/2009, Art. 7(1)(c)) (see paras 24-26, 28-31)

Re:

ACTION brought against the decision of the Second Board of Appeal of OHIM of 1 March 2011 (Case R 2361/2010-2) relating to a territorial extension to the European Union of the protection of the international registration of the figurative mark 3D eXam.

Operative part

The Court:

1. Dismisses the action;
2. Orders Kaltenbach & Voigt GmbH to pay the costs.