



Reports of Cases

Judgment of the General Court (Fourth Chamber) of 15 May 2012 — Ewald v OHIM — Kin Cosmetics (Keen)

(Case T-280/11)

(Community trade mark — Opposition proceedings — Application for the Community word mark Keen — Community figurative mark KIN — Relative ground for refusal — Likelihood of confusion — Similarity of the signs — Article 8(1)(b) of Regulation (EC) No 207/2009)

Community trade mark — Definition and acquisition of the Community trade mark — Relative grounds for refusal — Opposition by the proprietor of an earlier identical or similar mark registered for identical or similar goods or services — Likelihood of confusion with the earlier mark (Council Regulation No 207/2009, Art. 8(1)(b)) (see paras 17, 37)

Re:

ACTION brought against the decision of the First Board of Appeal of OHIM of 3 March 2011 (Case R 1383/2010-1), relating to opposition proceedings between Kin Cosmetics, SA and Ms Rita Ewald.

Operative part

The Court:

1. Dismisses the action;
2. Orders Ms Rita Ewald to pay the costs.