

Judgment of the General Court of 24 June 2014 — Hut.com v OHIM — Intersport France (THE HUT)**(Case T-330/12) ⁽¹⁾****(Community trade mark — Opposition proceedings — Application for the Community word mark THE HUT — Earlier national word mark LA HUTTE — Relative ground for refusal — Likelihood of confusion — Article 8(1)(b) of Regulation (EC) No 207/2009)**

(2014/C 253/36)

*Language of the case: English***Parties***Applicant:* The Hut.com Ltd (Northwich, United Kingdom) (represented by: S. Malynicz, Barrister)*Defendant:* Office for Harmonisation in the Internal Market (Trade Marks and Designs) (represented by: V. Melgar, acting as Agent)*Other party to the proceedings before the Board of Appeal of OHIM:* Intersport France (Longjumeau, France)**Re:**

Action brought against the decision of the Second Board of Appeal of OHIM of 27 April 2012 (Case R 814/2011-2), relating to opposition proceedings between Intersport France and The Hut.com Ltd

Operative part of the judgment*The Court:*

- 1) *Dismisses the action;*
- 2) *Orders The Hut.com Ltd to pay the costs.*

⁽¹⁾ OJ C 295, 29.9.2012.

Judgment of the General Court of 19 June 2014 — Kampol v OHIM — Colmol (Nobel)**(Case T-382/12) ⁽¹⁾****(Community trade mark — Opposition proceedings — Application for the Community figurative mark Nobel — Earlier national word mark NOBEL — Relative ground for refusal — Likelihood of confusion — Article 8(1)(b) of Regulation (EC) No 207/2009)**

(2014/C 253/37)

*Language of the case: English***Parties***Applicant:* Kampol sp. z o.o. (Świdnica, Poland) (represented by: J. Kępiński, lawyer)*Defendant:* Office for Harmonisation in the Internal Market (Trade Marks and Designs) (represented by: P. Geroulakos, Agent)*Other party to the proceedings before the Board of Appeal of OHIM:* Colmol-Colchões, SA (Oliveira de Azeméis, Portugal)**Re:**

Action brought against the decision of the Fourth Board of Appeal of OHIM of 21 June 2012 (Case R 2286/2011-4), relating to opposition proceedings between Colmol — Colchões, SA and Kampol-K. Humiński & syn sp. z o.o.

Operative part of the judgment

The Court:

1. *Dismisses the action;*
2. *Orders Kampol sp. z o.o. to pay the costs.*

⁽¹⁾ OJ C 355, 17.11.2012

**Judgment of the General Court of 24 June 2014 — Rani Refreshments v OHIM — Global-Invest
Bartosz Turek (Sani)**

(Case T-523/12) ⁽¹⁾

**(Community trade mark — Opposition proceedings — Application for Community figurative mark
Sani — Earlier Community figurative marks Hani or llani and RANI — Relative ground for refusal —
Likelihood of confusion — Similarity of the signs — Article 8(1)(b) of Regulation (EC) No 207/2009)**

(2014/C 253/38)

Language of the case: English

Parties

Applicant: Rani Refreshments FZCO (Jebel Ali, United Arab Emirates) (represented by: M. Chapple, Barrister)

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

Other party to the proceedings before the Board of Appeal of OHIM: Global-Invest Bartosz Turek (Poczesna, Poland)

Re:

Action against the decision of the Fourth Board of Appeal of OHIM of 27 September 2012 (Case R 236/2012-4), concerning opposition proceedings between Aujan Industries Co. (S J C) and Global-Invest Bartosz Turek.

Operative part of the judgment

The Court:

- 1) *Dismisses the action.*
- 2) *Orders Rani Refreshments FZCO to pay the costs.*

⁽¹⁾ OJ C 32, 2.2.2013.

**Judgment of the General Court of 24 June 2014 — 1872 Holdings v OHIM — Havana Club
International (THE SPIRIT OF CUBA)**

(Case T-207/13) ⁽¹⁾

**(Community trade mark — Invalidity proceedings — Community word mark THE SPIRIT OF CUBA —
Absolute ground for refusal — Descriptive character — Article 7(1)(c) of Regulation (EC) No 207/2009)**

(2014/C 253/39)

Language of the case: English

Parties

Applicant: 1872 Holdings vof (Amsterdam, Netherlands) (represented by: M. Antoine-Lalance, lawyer)