

**Judgment of the General Court of 18 September 2014 — Herdade de S. Tiago II v OHIM — Polo/Lauren (V)**

(Case T-90/13) <sup>(1)</sup>

**(Community trade mark — Opposition proceedings — Application for the Community figurative mark V — Earlier Community, national and Benelux figurative marks representing a polo player — Relative grounds for refusal — Article 8(1)(b) of Regulation (EC) No 207/2009 — Article 8(5) of Regulation No 207/2009)**

(2014/C 388/16)

Language of the case: English

**Parties**

*Applicant:* Herdade de S. Tiago II — Sociedade Agrícola, SA (Lisbon, Portugal) (represented by: I. de Carvalho Simões and J. Pimenta, lawyers)

*Defendant:* Office for Harmonisation in the Internal Market (Trade Marks and Designs) (represented by: P. Bullock and N. Bambara, acting as Agents)

*Other party to the proceedings before the Board of Appeal of OHIM, intervener before the General Court:* The Polo/Lauren Company, LP (New York, United States) (represented by: R. Black and S. Davies, Solicitors)

**Re:**

Action brought against the decision of the Second Board of Appeal of OHIM of 28 November 2012 (Case R 2240/2011-2), relating to opposition proceedings between The Polo/Lauren Company, LP and Herdade de S. Tiago II — Sociedade Agrícola, SA

**Operative part of the judgment**

*The Court:*

1. Dismisses the action;
2. Orders Herdade de S. Tiago II — Sociedade Agrícola, SA to pay the costs.

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<sup>(1)</sup> OJ C 123, 27.4.2013.

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**Judgment of the General Court of 18 September 2014 — Polo/Lauren v OHIM — FreshSide  
(Representation of a boy on a bicycle holding a mallet)**

(Case T-265/13) <sup>(1)</sup>

**(Community trade mark — Opposition proceedings — Application for the Community figurative mark representing a boy on a bicycle holding a mallet — Earlier Community and national figurative marks representing a polo player — Relative grounds for refusal — Article 8(1)(b) of Regulation (EC) No 207/2009 — Article 8(5) of Regulation No 207/2009)**

(2014/C 388/17)

Language of the case: English

**Parties**

*Applicant:* The Polo/Lauren Company, LP (New York, United States) (represented by: S. Davies, Solicitor, J. Hill, Barrister, and R. Black, Solicitor)

*Defendant:* Office for Harmonisation in the Internal Market (Trade Marks and Designs) (represented by: P. Bullock and N. Bambara, acting as Agents)

*Other party to the proceedings before the Board of Appeal of OHIM, intervener before the General Court:* FreshSide Ltd (London, United Kingdom) (represented by: N. Lockett, Solicitor)