

**Judgment of the General Court of 10 February 2015 — Boehringer Ingelheim International v OHIM
— Lehning entreprise (ANGIPAX)**

(Case T-368/13) ⁽¹⁾

**(Community trade mark — Opposition proceedings — Application for Community word mark
ANGIPAX — Earlier Community word mark ANTISTAX — Relative ground for refusal — Likelihood of
confusion — Article 8(1)(b) of Regulation (EC) No 207/2009)**

(2015/C 096/19)

Language of the case: French

Parties

Applicant: Boehringer Ingelheim International GmbH (Ingelheim am Rhein, Germany) (represented by: initially V. von Bomhard and D. Slopek, lawyers, then V. von Bomhard)

Defendant: Office for Harmonisation in the Internal Market (Trade Marks and Designs) (represented by: S. Pétrequin and J. Crespo Carrillo, agents)

Other party to the proceedings before the Board of Appeal of OHIM, intervening before the General Court: Lehning entreprise SARL (Sainte-Barbe, France) (represented by: P. Demoly, lawyer)

Re:

Action brought against the decision of the Fifth Board of Appeal of OHIM of 29 April 2013 (Case R 571/2012-5), relating to opposition proceedings between Boehringer Ingelheim International GmbH and Lehning entreprise SARL.

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders Boehringer Ingelheim International GmbH to pay the costs, including the expenses necessarily incurred by Lehning entreprise SARL for the purposes of the proceedings before the Board of Appeal of the Office for Harmonisation in the Internal Market (Trade Marks and Designs) (OHIM).

⁽¹⁾ OJ C 260, 7.9.2013.

Judgment of the General Court of 10 February 2015 — Innovation First v OHIM (NANO)

(Case T-379/13) ⁽¹⁾

**(Community trade mark — Application for Community word mark NANO — Right to be heard —
Obligation to state reasons — Examination of the facts of the Office's own motion — Absolute ground for
refusal — Descriptiveness — Article 7(1)(c) of Regulation (EC) No 207/2009)**

(2015/C 096/20)

Language of the case: English

Parties

Applicant: Innovation First, Inc. (Greenville, South Carolina, United States) (represented by: J. Zecher, lawyer)

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