

Re:

Action brought against the decision of the First Board of Appeal of OHIM of 14 March 2013 (Case R 748/2012-1), relating to revocation proceedings between Husky CZ s.r.o. and Husky of Tostock Ltd.

Operative part of the judgment

The Court:

1. *Dismisses the action;*
2. *Orders Husky CZ s.r.o. to pay the costs.*

⁽¹⁾ OJ C 207, 20.7.2013.

Judgment of the General Court of 12 February 2015 — Vita Phone v OHIM — (LIFEDATA)

(Case T-318/13) ⁽¹⁾

(Community trade mark — Application for Community word mark LIFEDATA — Absolute ground for refusal — Lack of distinctiveness — Article 7(1)(b) and Article 75 of Regulation (EC) No 207/2009 — Lack of specific assessment — Duty to state reasons)

(2015/C 107/34)

Language of the case: German

Parties

Applicant: Vita Phone GmbH (Mannheim, Germany) (represented by: P. Ruess and A. Doepner-Thiele, lawyers)

Defendant: Office for Harmonisation in the Internal Market (Trade Marks and Designs) (represented by: G. Marten and G. Schneider, acting as Agents)

Re:

Action brought against the decision of the First Board of Appeal of OHIM of 26 March 2013 (Case R 1072/2012-1) concerning an application for registration of the word mark LIFEDATA as a Community trade mark.

Operative part of the judgment

The Court:

1. *Dismisses the action;*
2. *Orders Vita Phone GmbH to pay the costs.*

⁽¹⁾ OJ C 226, 3.8.2013.

Judgment of the General Court of 12 February 2015 — Klaes v OHIM — Klaes Kunststoffe (Klaes)

(Case T-453/13) ⁽¹⁾

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

(2015/C 107/35)

Language of the case: German

Parties

Applicant: Horst Klaes GmbH & Co. KG (Bad Neuenahr-Ahrweiler, Germany) (represented by: B. Dix, lawyer)

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

Other party to the proceedings before the Board of Appeal of OHIM, intervening before the General Court: Klaes Kunststoffe GmbH (Neuenrade, Germany) (represented initially by: J. Schneider, and subsequently by: S. Schweyer, lawyers)

Re:

Action brought against the decision of the First Board of Appeal of OHIM of 6 June 2013 (Case R 1206/2012-1) concerning opposition proceedings between Horst Klaes GmbH & Co. KG and Klaes Kunststoffe GmbH.

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders Horst Klaes GmbH & Co. KG to bear its own costs and to pay those incurred by the Office for Harmonisation in the Internal Market (Trade Marks and Designs) (OHIM);
3. Orders Klaes Kunststoffe GmbH to bear its own costs.

⁽¹⁾ OJ C 313, 26.10.2013.

Order of the General Court of 28 January 2015 — Kicks Kosmetikkedjan v OHIM — Kik Textilien (KICKS)

(Case T-531/13) ⁽¹⁾

(Community trade mark — Opposition — Withdrawal of the opposition — No need to adjudicate)

(2015/C 107/36)

Language of the case: English

Parties

Applicant: Kicks Kosmetikkedjan AB (Stockholm, Sweden) (represented by: K. Strömholm, lawyer)

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

Other party to the proceedings before the Board of Appeal of OHIM: Kik Textilien und Non-Food GmbH (Bönen, Germany)

Re:

Action brought against the decision of the Fourth Board of Appeal of OHIM of 25 July 2013 (Case R 992/2012-4) concerning opposition proceedings between Kik Textilien und Non-Food GmbH et Kicks Kosmetikkedjan AB.

Operative part of the order

1. *There is no longer any need to adjudicate on the action.*