

2. Orders Siemag Teberg Group GmbH to bear its own expenses and to pay those incurred by the Office for Harmonisation in the Internal Market (Trade Marks and Designs) (OHIM).

⁽¹⁾ OJ C 31, 1.2.2014.

Judgment of the General Court of 29 January 2015 — Blackrock v OHIM (SO WHAT DO I DO WITH MY MONEY)

(Case T-609/13) ⁽¹⁾

(Community trade mark — Application for the Community word mark SO WHAT DO I DO WITH MY MONEY — Mark consisting of an advertising slogan — Absolute ground for refusal — No distinctive character — Article 7(1)(b) of Regulation (EC) No 207/2009)

(2015/C 089/23)

Language of the case: English

Parties

Applicant: Blackrock, Inc. (Wilmington, Delaware, United States) (represented by: S. Malynicz, Barrister, and K. Gilbert and M. Blair, Solicitors)

Defendant: Office for Harmonisation in the Internal Market (Trade Marks and Designs) (represented by: initially I. Harrington, and subsequently J. Crespo Carrillo, acting as Agents)

Re:

Action brought against the decision of the Fourth Board of Appeal of OHIM of 11 September 2013 (Case R 572/2013-4), concerning an application for registration of the word sign SO WHAT DO I DO WITH MY MONEY as a Community trade mark.

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders Blackrock, Inc. to pay the costs.

⁽¹⁾ OJ C 24, 25.1.2014.

Judgment of the General Court of 28 January 2015 — Enercon v OHIM (Shades of the colour green)

(Case T-655/13) ⁽¹⁾

(Community trade mark — Application for Community trade mark consisting of a gradient of five shades of the colour green — Absolute ground for refusal — Distinctive character — Article 7(1)(b) of Regulation (EC) No 207/2009 — Reclassification of the mark applied for — Article 43(2) of Regulation No 207/2009)

(2015/C 089/24)

Language of the case: German

Parties

Applicant: Enercon GmbH (Aurich, Germany) (represented by: R. Böhm and S. Overhage, lawyers)

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

Re:

Action brought against the decision of the First Board of Appeal of OHIM of 11 September 2013 (Case R 247/2013-1), concerning an application for registration of a gradient of five shades of the colour green as a Community trade mark.

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders Enercon GmbH to pay the costs.

⁽¹⁾ OJ C 39, 8.2.2014.

Order of the General Court of 29 January 2015 — Zitro IP v OHIM — Gamepoint (SPIN BINGO)

(Case T-665/13) ⁽¹⁾

(Community trade mark — Application for Community figurative mark ‘SPIN BINGO’ — Earlier Community word mark ‘ZITRO SPIN BINGO’ — Relative ground for refusal — Article 8(1)(b) of Regulation (EC) No 207/2009)

(2015/C 089/25)

Language of the case: English

Parties

Applicant: Zitro IP Sàrl (Luxembourg, Luxembourg) (represented by: A. Canela Giménez, lawyer)

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

Other party to the proceedings before the Board of Appeal of OHIM: Gamepoint BV (The Hague, Netherlands)

Re:

Action brought against the decision of the Fourth Board of Appeal of OHIM of 14 October 2013 (Case R 1388/2012-4) concerning opposition proceedings between Zitro IP Sàrl and Gamepoint BV.

Operative part of the order

1. Dismisses the action of Zitro IP Sàrl.
2. Orders Zitro IP Sàrl to pay the costs.

⁽¹⁾ OJ C 61, 1.3.2014.