

Pleas in law and main arguments

Community trade mark concerned: the word mark 'FICKEN' for goods and services in Classes 25, 32, 33 and 43 — Community trade mark application No 9 274 366

Decision of the Examiner: the application was rejected

Decision of the Board of Appeal: the appeal was dismissed

Pleas in law: Infringement of Article 7(1)(f) and Article 7(2) of Regulation No 207/2009

Action brought on 31 January 2013 — Vans/OHIM (Line which slants and curves)

(Case T-53/13)

(2013/C 101/47)

Language of the case: English

Parties

Applicant: Vans, Inc. (Cyprus, United States) (represented by: M. Hirsch, lawyer)

Defendant: Office for Harmonisation in the Internal Market (Trade Marks and Designs)

Form of order sought

The applicant claims that the Court should:

- Annul the contested decision in its entirety;
- Order the defendant to pay the costs of the proceeding.

Pleas in law and main arguments

Community trade mark concerned: Figurative mark containing a device of a line which slants and curves for goods in classes 18 and 25 — Community trade mark application No 10 263 838

Decision of the Examiner: Rejected the CTM application

Decision of the Board of Appeal: Dismissed the appeal

Pleas in law: Infringement of Article 7(1)(b) and 7(3) of Council Regulation No 207/2009.

Action brought on 4 February 2013 — Efaq Trade Mark Company v OHIM (FICKEN LIQUORS)

(Case T-54/13)

(2013/C 101/48)

Language of the case: German

Parties

Applicant: Efaq Trade Mark Company GmbH & Co. KG (Schemmerhofen, Germany) (represented by M. Wekwerth, lawyer)

Defendant: Office for Harmonisation in the Internal Market (Trade Marks and Designs)

Form of order sought

The applicant claims that the Court should:

- Annul the decision of the First Board of Appeal of the Office for Harmonisation in the Internal Market (Trade Marks and Designs) of 15 November 2012 in Case R 2544/2011-1;
- Order the defendant to pay the costs including those incurred in the appeal proceedings.

Pleas in law and main arguments

Community trade mark concerned: the figurative mark including the word element 'FICKEN LIQUORS' for goods and services in Classes 25, 32, 33 and 35

Decision of the Examiner: the application was rejected

Decision of the Board of Appeal: the appeal was dismissed

Pleas in law: Infringement of Article 7(1)(f) and Article 7(2) of Regulation No 207/2009

Action brought on 4 February 2013 — Formula One Licensing/OHIM — Idea Marketing (F1H2O)

(Case T-55/13)

(2013/C 101/49)

Language in which the application was lodged: English

Parties

Applicant: Formula One Licensing BV (Rotterdam, Netherlands) (represented by: B. Klingberg, lawyer)

Defendant: Office for Harmonisation in the Internal Market (Trade Marks and Designs)

Other party to the proceedings before the Board of Appeal: Idea Marketing SA (Lausanne, Switzerland)

Form of order sought

The applicant claims that the Court should:

- Annul the decision of the Fourth Board of appeal in case R 1247/2011-4;