

Action brought on 22 May 2013 — Iglotex/OHIM — Iglotex Foods Group (IGLOTEX)

(Case T-282/13)

(2013/C 207/84)

Language in which the application was lodged: English

Parties

Applicant: Iglotex S.A. (Skórcz, Poland) (represented by: I. Helbig, P. Hansmersmann and S. Rengshausen, lawyers)

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

Other party to the proceedings before the Board of Appeal: Iglotex Foods Group Ltd (Feltham, United Kingdom)

Form of order sought

The applicant claims that the Court should:

- Annul the contested decision;
- Annul the decision of the Opposition Division;
- Order OHIM to pay the costs.

Pleas in law and main arguments

Applicant for a Community trade mark: The applicant

Community trade mark concerned: The figurative mark containing the word element 'IGLOTEX' — Community trade mark application No 9 283 367 for goods in classes 29 and 30

Proprietor of the mark or sign cited in the opposition proceedings: The other party to the proceedings before the Board of Appeal

Mark or sign cited in opposition: The word mark 'IGLO' for goods in classes 29 and 30 — Community trade mark application No 5 740 238

Decision of the Opposition Division: Upheld the opposition for all the contested goods

Decision of the Board of Appeal: Dismissed the appeal

Pleas in law: Infringement of Article 8(1)(b) of Council Regulation No 207/2009.

Appeal brought on 22 May 2013 by Luigi Marcuccio against the order of the Civil Service Tribunal of 11 March 2013 in Case F-131/12 Marcuccio v Commission

(Case T-283/13 P)

(2013/C 207/85)

Language of the case: Italian

Parties

Appellant: Luigi Marcuccio (Tricase, Italy) (represented by G. Cipressa, lawyer)

Other party to the proceedings: European Commission

Form of order sought by the appellant

- Set aside in its entirety and without exception the order under appeal.
- Refer the case back to the Civil Service Tribunal.

Pleas in law and main arguments

The pleas in law and main arguments are same as those relied on in Case T-203/13 P *Marcuccio v Commission*.

Appeal brought on 22 May 2013 by Luigi Marcuccio against the order of the Civil Service Tribunal of 11 March 2013 in Case F-17/12 Marcuccio v Commission

(Case T-284/13 P)

(2013/C 207/86)

Language of the case: Italian

Parties

Appellant: Luigi Marcuccio (Tricase, Italy) (represented by G. Cipressa, lawyer)

Other party to the proceedings: European Commission

Form of order sought by the appellant

- Set aside in its entirety and without exception the order under appeal.
- Refer the case back to the Civil Service Tribunal.

Pleas in law and main arguments

The pleas in law and main arguments are the same as those relied on in Case T-203/13 P *Marcuccio v Commission*.