

Other party to the proceedings before the Board of Appeal: Klaes Kunststoffe GmbH (Neuenrade, Germany)

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 of 6 June 2013 (Case R 1206/2012-1) and reject the opposition against the applicant's Community trade mark application (No 9545096).

Pleas in law and main arguments

Applicant for a Community trade mark: the applicant

Community trade mark concerned: the word mark 'Klaes' for goods in Class 42 — Community trade mark application No 9 545 096

Proprietor of the mark or sign cited in the opposition proceedings: Klaes Kunststoffe GmbH

Mark or sign cited in opposition: the figurative mark in blue 'Klaes' for services in Class 42

Decision of the Opposition Division: the opposition was upheld

Decision of the Board of Appeal: the appeal was dismissed

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

Action brought on 23 August 2013 — Larrañaga Otaño v OHIM (GRAPHENE)

(Case T-458/13)

(2013/C 313/60)

Language of the case: Spanish

Parties

Applicants: Joseba Larrañaga Otaño (San Sebastian, Spain) and Mikel Larrañaga Otaño (San Sebastian) (represented by F. Bueno Salamero, lawyer)

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

Forms of order sought

The applicant claims that the General Court should:

— Annul the contested decision;

— Order OHIM to pay the costs of the proceedings.

Pleas in law and main arguments

Community trade mark applied for: Word mark 'GRAPHENE' for goods and services in Classes 13, 23, 25 and 38 — application for Community trade mark No 10 895 258.

Decision of the Examiner: Rejection of the application for registration.

Decision of the Board of Appeal: Dismissal of the appeal.

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

Action brought on 23 August 2013 — Larrañaga Otaño v OHIM (GRAPHENE)

(Case T-459/13)

(2013/C 313/61)

Language of the case: Spanish

Parties

Applicants: Joseba Larrañaga Otaño (San Sebastian, Spain) and Mikel Larrañaga Otaño (San Sebastian) (represented by F. Bueno Salamero, lawyer)

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

Forms of order sought

The applicant claims that the General Court should:

— Annul the contested decision;

— Order OHIM to pay the costs of the proceedings.

Pleas in law and main arguments

Community trade mark applied for: Word mark 'GRAPHENE' for goods and services in Classes 2, 6, 10 and 22 — application for Community trade mark No 10 892 446.

Decision of the Examiner: Rejection of the application for registration.

Decision of the Board of Appeal: Dismissal of the appeal.

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

Action brought on 28 August 2013 — Arrow Group and Arrow Generics v Commission

(Case T-467/13)

(2013/C 313/62)

Language of the case: English

Parties

Applicants: Arrow Group ApS (Roskilde, Denmark); and Arrow Generics Ltd (London, United Kingdom) (represented by: S. Kon, C. Firth, and C. Humpe, Solicitor)