Judgment of the General Court of 28 January 2015 — Argo Development and Manufacturing v OHIM — Clapbanner (Representation of advertising articles)

(Case T-41/14) (¹)

(Community design — Invalidity proceedings — Registered Community design representing an advertising article — Earlier Community designs — Grounds for invalidity — Novelty — Individual character — Informed user — Degree of freedom of the designer — Different overall impression — Articles 4, 5, 6 and Article 25(1)(b) of Regulation (EC) No 6/2002)

(2015/C 089/26)

Language of the case: English

Parties

Applicant: Argo Development and Manufacturing Ltd (Ra'anana, Israel) (represented by: B. Brisset, lawyer)

Defendant: Office for Harmonisation in the Internal Market (Trade Marks and Designs) (represented initially by A. Pohlmann, and subsequently by S. Hanne, acting as Agents)

Other party to the proceedings before the Board of Appeal of OHIM: Clapbanner Ltd (London, United Kingdom)

Re:

Action brought against the decision of the Third Board of Appeal of OHIM of 22 October 2013 (Case R 981/2012-3) in relation to invalidity proceedings between Argo Development and Manufacturing Ltd and Clapbanner Ltd.

Operative part of the judgment

The Court:

1. *Dismisses the action;*

2. *Orders Argo Development and Manufacturing Ltd to pay the costs.*

(¹) OJ C 129, 28.4.2014.

Judgment of the General Court of 29 January 2015 — Blackrock v OHIM (INVESTING FOR A NEW WORLD)

(Case T-59/14) (¹)

(Community trade mark — Application for the Community word mark INVESTING FOR A NEW WORLD — 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 089/27)

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: L. Rampini, acting as Agent)