

2. Orders Schniga Srl to pay the costs incurred by Brookfield New Zealand Limited and by Elaris SNC and to pay its own costs. The Community Plant Variety Office (CPVO) is to bear its own costs.

⁽¹⁾ OJ C 151, 19.5.2014.

Judgment of the General Court of 10 September 2015 — EE v OHIM (Representation of white dots on a blue background)

(Case T-94/14) ⁽¹⁾

(Community trade mark — Application for a Community figurative mark representing white dots on a blue background — Absolute ground for refusal — No distinctive character — Article 7(1)(b) of Regulation (EC) No 207/2009)

(2015/C 354/35)

Language of the case: English

Parties

Applicant: EE Ltd (Hatfield, United Kingdom) (represented by: P. Brownlow, Solicitor)

Defendant: Office for Harmonisation in the Internal Market (Trade Marks and Designs) (represented by: S. Bonne, acting as Agent)

Re:

Action brought against the decision of the First Board of Appeal of OHIM of 20 November 2013 (Case R 495/2013-1) relating to an application for registration as a Community trade mark of a figurative sign representing white dots on a blue background.

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders EE Ltd to pay the costs.

⁽¹⁾ OJ C 135, 5.5.2014.

Judgment of the General Court of 10 September 2015 — EE v OHIM (Representation of white dots on a yellow background)

(Case T-143/14) ⁽¹⁾

(Community trade mark — Application for a Community figurative mark representing white dots on a yellow background — Absolute ground for refusal — No distinctive character — Article 7(1)(b) of Regulation (EC) No 207/2009)

(2015/C 354/36)

Language of the case: English

Parties

Applicant: EE Ltd (Hatfield, United Kingdom) (represented by: P. Brownlow, Solicitor)

Defendant: Office for Harmonisation in the Internal Market (Trade Marks and Designs) (represented by: M. Rajh, acting as Agent)

Re:

Action brought against the decision of the Second Board of Appeal of OHIM of 27 November 2013 (Case R 703/2013-2) relating to an application for registration as a Community trade mark of a figurative sign representing white dots on a yellow background.

Operative part of the judgment

The Court:

1. *Dismisses the action;*
2. *Orders EE Ltd to pay the costs.*

⁽¹⁾ OJ C 135, 5.5.2014.

Judgment of the General Court of 10 September 2015 — EE v OHIM (Representation of white dots on an ivory background)

(Case T-144/14) ⁽¹⁾

(Community trade mark — Application for a Community figurative mark representing white dots on an ivory background — Absolute ground for refusal — No distinctive character — Article 7(1)(b) of Regulation (EC) No 207/2009)

(2015/C 354/37)

Language of the case: English

Parties

Applicant: EE Ltd (Hatfield, United Kingdom) (represented by: P. Brownlow, Solicitor)

Defendant: Office for Harmonisation in the Internal Market (Trade Marks and Designs) (represented by: S. Bonne, acting as Agent)

Re:

Action brought against the decision of the First Board of Appeal of OHIM of 7 January 2014 (Case R 705/2013-1) relating to an application for registration as a Community trade mark of a figurative sign representing white dots on an ivory background.

Operative part of the judgment

The Court:

1. *Dismisses the action;*
2. *Orders EE Ltd to pay the costs.*

⁽¹⁾ OJ C 135, 5.5.2014.

Judgment of the General Court of 10 September 2015 — Volkswagen v OHIM (STREET)

(Case T-321/14) ⁽¹⁾

(Community trade mark — Application for Community word mark STREET — Absolute grounds for refusal — Descriptive character — Lack of distinctive character — Article 7(1)(b) and (c) of Regulation (EC) No 207/2009)

(2015/C 354/38)

Language of the case: German

Parties

Applicant: Volkswagen AG (Wolfsburg, Germany) (represented by: U. Sander, lawyer)