

Judgment of the General Court of 7 October 2015 — Cyprus v OHIM (XΑΛΛΟΥΜΙ and HALLOUMI)**(Joined Cases T-292/14 and T-293/14) ⁽¹⁾****(Community trade mark — Applications for Community word marks XΑΛΛΟΥΜΙ and HALLOUMI — Absolute ground for refusal — Lack of distinctive character — Descriptive character — Article 7(1)(b) and (c) of Regulation (EC) No 207/2009)**

(2015/C 398/65)

Language of the case: English

Parties*Applicant:* Republic of Cyprus (represented by: S. Malynicz, Barrister, and V. Marsland, Solicitor)*Defendant:* Office for Harmonisation in the Internal Market (Trade Marks and Designs) (represented by: P. Geroulakos, acting as Agent)**Re:**

Two actions brought against two decisions of the Fourth Board of Appeal of OHIM of 19 February 2014 (Case R 1849/2013-4 and Case R 1503/2013-4), concerning applications for registration of the word sign XΑΛΛΟΥΜΙ and the word sign HALLOUMI, respectively, as Community trade marks.

Operative part of the judgment*The Court:*

1. Dismisses the action;
2. Orders the Republic of Cyprus to bear its own costs and to pay those incurred by the Office for Harmonisation in the Internal Market (Trade Marks and Designs) (OHIM).

⁽¹⁾ OJ C 245, 28.7.2014.

Judgment of the General Court of 8 October 2015 — Société des produits Nestlé v OHIM (NOURISHING PERSONAL HEALTH)**(Case T-336/14) ⁽¹⁾****(Community trade mark — International registration designating the European Community — Word mark NOURISHING PERSONAL HEALTH — Absolute ground for refusal — No distinctive character — Article 7(1)(b) of Regulation (EC) No 207/2009 — Obligation to state reasons — Article 75 of Regulation No 207/2009 — Obligation on OHIM to examine the facts of its own motion — Article 76(1) of Regulation No 207/2009)**

(2015/C 398/66)

Language of the case: English

Parties*Applicant:* Société des produits Nestlé SA (Vevey, Switzerland) (represented by: A. Jaeger-Lenz, A. Lambrecht and S. Cobet-Nüse, lawyers)

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

Re:

Action brought against the decision of the Fourth Board of Appeal of OHIM of 12 March 2014 (Case R 149/2013-4) concerning the international registration designating the European Community of the word mark NOURISHING PERSONAL HEALTH.

Operative part of the judgment

The Court:

1. *Dismisses the action;*
2. *Orders Société des produits Nestlé SA to pay the costs.*

⁽¹⁾ OJ C 261, 11.8.2014.

Judgment of the General Court of 7 October 2015 — CBM v OHIM — Aeronautica Militare (TRECOLORE)

(Case T-365/14) ⁽¹⁾

(Community trade mark — Opposition proceedings — Application for Community figurative mark TRECOLORE — Earlier Community and national word and figurative marks FRECCE TRICOLORI — Relative ground for refusal — Likelihood of confusion — Article 8(1)(b) of Regulation (EC) No 207/2009)

(2015/C 398/67)

Language of the case: English

Parties

Applicant: CBM Creative Brands Marken GmbH (Zurich, Switzerland) (represented by: U. Lüken, M. Grundmann and N. Kerger, lawyers)

Defendant: Office for Harmonisation in the Internal Market (Trade Marks and Designs) (represented by: A. Folliard-Monguiral, acting as Agent)

Other party to the proceedings before the Board of Appeal of OHIM: Aeronautica Militare — Stato Maggiore (Rome, Italy)