

**Judgment of the General Court of 10 December 2015 — Sony Computer Entertainment Europe v OHIM — Marpefa (Vieta)**

(Case T-690/14) <sup>(1)</sup>

*(Community trade mark — Revocation proceedings — Community figurative mark Vieta — Genuine use of the mark — Nature of use — Article 15(1) and Article 51(2) of Regulation (EC) No 207/2009 — Form differing in elements which do not alter the distinctive character of the mark — Proof of use for the registered goods)*

(2016/C 038/66)

Language of the case: English

**Parties**

*Applicant:* Sony Computer Entertainment Europe Limited (London, United Kingdom) (represented by: S. Malynicz, Barrister)

*Defendant:* Office for Harmonisation in the Internal Market (Trade Marks and Designs) (represented by: J. Crespo Carrillo, acting as Agent)

*Other party to the proceedings before the Board of Appeal of OHIM, intervening before the General Court:* Marpefa, SL (Barcelona, Spain) (represented by: I. Barroso Sánchez-Lafuente, lawyer)

**Re:**

Action brought against the decision of the Second Board of Appeal of OHIM of 2 July 2014 (Case R 2100/2013-2), relating to revocation proceedings between Sony Computer Entertainment Europe Limited and Marpefa, SL.

**Operative part of the judgment**

*The Court:*

1. Annuls the decision of the Second Board of Appeal of the Office for Harmonisation in the Internal Market (Trade Marks and Designs) (OHIM) of 2 July 2014 (Case R 2100/2013-2) in so far as it dismissed the appeal against the decision of the Cancellation Division to reject the application for the revocation of the Community figurative mark Vieta for 'apparatus for the reproduction of sound and images';
2. Dismisses the action as to the remainder;
3. Orders each party to bear its own costs.

<sup>(1)</sup> OJ C 431, 1.12.2014.

**Judgment of the General Court of 11 December 2015 — Hikari Miso v OHIM — Nishimoto Trading (Hikari)**

(Case T-751/14) <sup>(1)</sup>

*(Community trade mark — Opposition proceedings — Application for Community word mark Hikari — Earlier national word mark HIKARI — Relative ground for refusal — Likelihood of confusion — Article 8 (1)(b) of Regulation (EC) No 207/2009)*

(2016/C 038/67)

Language of the case: English

**Parties**

*Applicant:* Hikari Miso Co. Ltd (Simosuwa-machi, Japan) (represented by: D. McFarland, Barrister)