

2. Orders the Kingdom of Spain to bear its own costs and to pay the costs incurred by the European Commission.
3. Orders the Republic of Latvia to bear its own costs.

⁽¹⁾ OJ C 388, 3.11.2014.

Judgment of the General Court of 3 March 2016 — Ugly v OHIM — Group Lottuss (COYOTE UGLY)

(Case T-778/14) ⁽¹⁾

(Community trade mark — Opposition proceedings — Application for the Community word mark COYOTE UGLY — Relative grounds for refusal — Revocation of the earlier Community word mark — Article 8(1)(a) and (b) of Regulation (EC) No 207/2009 — No non-registered mark — Article 8(4) of Regulation No 207/2009 — No well-known mark within the meaning of Article 6 bis of the Paris Convention — Article 8(2)(c) of Regulation No 207/2009 — Rejection of the opposition)

(2016/C 136/45)

Language of the case: English

Parties

Applicant: Ugly, Inc. (New York, United States) (represented by: T. St Quintin, Barrister, K. Gilbert and C. Mackey, Solicitors)

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

Other party to the proceedings before the Board of Appeal of OHIM: Group Lottuss Corp., SL (Barcelona, Spain)

Re:

Action brought against the decision of the Fifth Board of Appeal of OHIM of 16 September 2014 (Case R 1369/2013-5), relating to opposition proceedings between Ugly Inc. and Group Lottuss Corp.

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders Ugly, Inc. to pay the costs.

⁽¹⁾ OJ C 26, 26.1.2015.

Judgment of the General Court of 21 January 2016 — SpokeY v OHIM — Leder Jaeger (SPOKeY)

(Case T-846/14) ⁽¹⁾

(Community trade mark — Invalidity proceedings — Community figurative mark SPOKeY — Earlier Community word mark SPOOKY — Declaration of partial invalidity — Article 53(1)(a) of Regulation (EC) No 207/2009 — Likelihood of confusion — Article 8(1)(b) of Regulation No 207/2009 — Examination of evidence — Article 76(1) of Regulation No 207/2009 — Obligation to state reasons — Article 75 of Regulation No 207/2009)

(2016/C 136/46)

Language of the case: Polish

Parties

Applicant: SpokeY sp. z o.o. (Katowice, Poland) (represented by: B. Matusiewicz-Kulig, lawyer)